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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF

THE STATE OF INDIANA;

BEING THE

SIXTEENTH SESSION

OF THE

GENERAL ASSEMBLY,

BEGUN AND HELD AT INDIANAPOLIS, IN SAID STATE, ON

MONDAY THE FIFTH DAY OF DECEMBER, A. D.

1831.

INDIANAPOLIS:

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1831.

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
AT THE SIXTEENTH SESSION OF
THE GENERAL ASSEMBLY OF THE STATE OF
INDIANA,

Begun and held at the Capitol, in the town of Indianapolis, on Monday the fifth day of December, in the year of our Lord, one thousand eight hundred and thirty-one; being the day appointed by Law for the meeting of the General Assembly.

THE FOLLOWING MEMBERS OF THE HOUSE OF REPRESENTATIVES APPEARED AND TOOK THEIR SEATS, TO WIT:

From the county of Wayne—William Steele, Henry Hoover, John Jones and Richard Henderson.

From the county of Dearborn—David V. Culley, William Flake and Warren Tebbs.

From the county of Washington—Ezekiel D. Logan and Henry P. Thornton.

From the county of Orange—James Lynd and John B. Moyer.

From the county of Lawrence—Pleasant Parks.

From the county of Jefferson—James H. Cravens and Edward R. Maxwell.

From the county of Rush—Marinus Willet and William Frame.

From the county of Harrison—James B. Slaughter and Joseph Paddacks.

From the county of Putnam—Alexander C. Stevenson and James Secrest.

From the county of Fountain—William Crumpton and Thomas Clawson.

From the county of Tippecanoe—Aaron Finch and William Heaton.

From the county of Franklin—John Reid and Benjamin S. Noble.

From the county of Union—Jeremiah Grover and John B. Rose.
From the county of Clark—Benjamin Ferguson and Thomas J. Henley.

From the county of Posey—William Casey.

From the county of Gibson—John Hargrove.

From the county of Crawford—David Griggs.

From the county of Greene—George Baber.

From the county of Owen—Robert M. Wooden.

From the county of Monroe—William Hite.

From the county of Sullivan—John W. Davis.

From the county of Warren—Samuel B. Clark.

From the county of Switzerland—William Cotton.

From the county of Ripley—Joseph Robinson.

From the county of Jennings—John Vawter.

From the county of Scott—John Harrod.

From the county of Floyd—Harbin H. Moore and Wm. Williams.

From the county of Clay—Jared Peyton.

From the county of Johnson—John Smiley.

From the county of Morgan—John W. Cox.

From the county of Hendricks—Lewis Mastin.

From the county of Shelby—Sylvan B. Morris.

From the county of Decatur—Doddridge Alley.

From the county of Henry—Thomas R. Stanford.

From the county of Marion—Henry Brady.

From the county of Randolph—Andrew Aker.

From the county of Bartholomew—Jesse Ruddick.

From the county of Jackson—Jesse B. Durham.

From the counties of Vanderburgh and Warrick—Joseph Lane.

From the counties of Perry and Spencer—Richard Polke.

From the county of Knox—John Decker and David S. Bonner.

From the counties of Daviess and Martin—William Wallace.

From the counties of Montgomery and Clinton—Jacob Angle and John Nelson.

From the counties of Carroll and Cass—Walter Wilson.

From the counties of Madison and Hancock—Thomas Bell.

From the counties of Allen, Elkhart and St. Joseph—Samuel Hanna.

From the county of Parke—William P. Bryant.

From the county of Delaware and all the territory attached thereto—Elias Murray,

Who produced their credentials, and were sworn into office by the
 Hon. ISAAC BLACKFORD, one of the Judges of the Supreme Court of
 this State.

The House then proceeded to the election of a Speaker—Messrs.
 Hoover and Casey acting as Tellers; and on counting the ballots it
 appeared that Harbin H. Moore had

66 votes.

Scattering

2 "

Mr. Moore having received a majority of all the votes given, was declared duly elected Speaker, and was conducted to the Chair by Messrs. Thornton and Lane.

Hugh L. Livingston, a member from the county of Lawrence, and George H. Proffit, a member from the counties of Pike and Dubois, severally appeared and produced their credentials, were sworn into office by the Hon. Isaac Blackford, and took their seats.

On motion of Mr. Hoover,

The House proceeded to the election of a Principal Clerk; Messrs. Thornton and Cotton acting as Tellers.

On counting the ballots it appeared that William Sheets was unanimously elected, who was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

On motion of Mr. Morris,

The House proceeded to the election of an Assistant Clerk;—Messrs. Finch and Steele acting as Tellers.

On counting the ballots it appeared that Albert S. White was unanimously elected, who was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

Mr. Stanford moved the following resolution,

Resolved, That the House now proceed to the election of an enrolling Clerk, to be sworn into office when the business of the House requires it.

Mr. Hoover moved to amend said resolution by striking out all after the word "Clerk."

Mr. Wilson moved to lay said resolution and proposed amendment on the table,

Which was decided in the negative.

The question then recurring on the amendment proposed by Mr. Hoover, it was carried in the affirmative.

The said resolution as amended was then adopted.

Whereupon,

The House proceeded to the election of an enrolling Clerk, Messrs. Logan and Wilson acting as Tellers.

On counting the ballots, it appeared that

Jesse Jackson had	-	-	-	-	-	36	votes.
William McPherson	-	-	-	-	-	16	"
William Lindsey	-	-	-	-	-	6	"
Samuel Morrison	-	-	-	-	-	5	"
William Fowler	-	-	-	-	-	5	"
Scattering	-	-	-	-	-	2	"

Mr. Jackson having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Isaac Blackford, and entered upon the discharge of his duties.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Marks Crume and Manlove Caldwell, members from the county of Fayette, appeared, produced their credentials, were sworn into office by the Hon. Bethuel F. Morris and took their seats.

On motion of Mr. Hoover,

The House proceeded to elect a Door keeper.

On counting the second ballot it appeared that

John B. E. Reed had	-	-	-	-	-	41	votes.
James Dixon	-	-	-	-	-	14	"
Lawson B. Hughes	-	-	-	-	-	13	"
Scattering	-	-	-	-	-	4	"

Mr. Reed having received a majority of all the votes given, was declared duly elected, was sworn into office by the Hon. Bethuel F. Morris, and entered upon the discharge of his duties.

A messege from the Senate by Mr. Morris, their Assistant Secretary:

Mr. Speaker:

I am instructed by the Senate, to inform the House of Representatives, that they have adopted the following resolution:

Resolved, That the House of Representatives be informed, that the Senate has convened, formed a quorum, elected John H. Farnham, Secretary; Austin W. Morris, Assistant Secretary; John Finley, Enrolling Secretary; Daniel Sigler, Sergeant at Arms, and Oliver Morse, Door-keeper—and that they are now ready to proceed to legislative business.

On motion of Mr. Hoover,

Resolved, That the Clerk of this House inform the Senate, that the House of Representatives have met, formed a quorum, elected Harbin H. Moore, Speaker; William Sheets, Principal Clerk; Albert S. White, Assistant Clerk; Jesse Jackson, Enrolling Clerk, and John B. E. Reed, Door-keeper—and are now ready to proceed to legislative business.

Mr. Davis moved the following resolution:

Resolved, that the Secretary of State be requested to furnish 38 copies of the Revised Code, for 1831.

Mr. Hoover moved to amend said resolution by adding thereto the words "and a like number of the Journals of the House of the last session,"

Which motion was carried in the affirmative.

The said resolution as amended was then agreed to.

On motion of Mr. Slaughter,

Resolved, That the Door-keeper be required to procure a stove

immediately, for the benefit of the Representative Hall, provided one can be had.

On motion of Mr. Hoover,

Resolved, That a committee of two be appointed, on the part of this House, to act with a similar committee, to be appointed on the part of the Senate, to wait on the Governor and inform him, that both Houses have met, elected their officers, and are ready to hear any communication he may think proper to make, and to know of him at what time he will make a communication.

Whereupon,

Messrs. Thornton and Davis were appointed that committee on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Logan,

Resolved, That A. F. Morrison and Douglass and Maguire be privileged within the bar as reporters of the proceedings of this House.

Mr. Vawter moved the following resolution:

Resolved, That the Rules and Joint Rules adopted at the last session of the General Assembly of the State of Indiana by the House of Representatives for their government, be, and the same are hereby adopted for the government of the House of Representatives, during their present session, and that the Clerk furnish the public printer with a copy of said Rules and Joint Rules, with instructions to print immediately one hundred and fifty copies thereof, for the use of this House.

Resolved, That the Clerk inform the Senate of the adoption of these Joint Rules, and request the adoption of the same on their part.

Mr. Alley moved to amend the same by striking out the words "one hundred and fifty," and inserting in lieu thereof the words, "seventy-five."

Which motion was decided in the negative; and

On the question to adopt said resolution,

It was carried in the affirmative.

And then the House adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, DECEMBER 6, 1831.

The House met pursuant to adjournment.

William Conner, a member from the counties of Hamilton and Boon and all the country north to the great Miami reservation, appeared, produced his credentials, was sworn into office by the Hon. Bethuel F. Morris, and took his seat.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am directed by the Senate to inform the House of Representatives, that they have adopted the following resolution:

Resolved, That a committee be appointed on the part of the Senate, to act in conjunction with such committee as may be appointed on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that the two Houses of the General Assembly have met, respectively organized, and are ready to receive any communications which he may think proper to make to them; and know of him at what time and place it will suit his convenience to make such communications, and that the House of Representatives be informed of the adoption of this resolution, and the adoption of a similar one on their part requested.

Messrs. De Pauw and Long are appointed a committee on the part of the Senate.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am directed by the Senate to inform the House of Representatives, that they have adopted the following resolution:

Resolved, That the Joint Rules, which were adopted at the last session of the General Assembly by the Senate for their government, be adopted during the present session, and that the House be informed of the adoption of the Joint Rules aforesaid.

The Speaker announced the following as the order of business to be observed, until otherwise directed by the House:

1. Reading the journals of the preceding day.
2. Petitions, memorials and remonstrances.
3. Reports from standing committees in the following order: (1,) Of Elections; (2,) of Ways and Means; (3,) on the Judiciary; (4) on Education; (5,) on Military Affairs; (6,) on the State Prison; (7,) on the Affairs of the town of Indianapolis; (8,) on Claims; (9,) on Roads; (10,) on Canals and Internal Improvements.
4. Reports from Select committees, (except the committee on Enrolled bills, which may report any time.)
5. Resolutions of the House.
6. Joint resolutions.
7. Bills.
8. Orders of the day.

On motion of Mr. Hoover,

Resolved, that this House will proceed on Thursday next, at 2 o'clock, P. M. to the election of United States' Senator, to fill the vacancy occasioned by the death of the Hon. James Noble, and that the

Senate be informed thereof, and that seats will be provided for them on the right of the Speaker's chair, and that be appointed Tellers on the part of this House,

Whereupon, Messrs. Hoover and Morris were appointed Tellers on the part of the House.

On motion of Mr. Brady,

Resolved, That a committee of one be appointed on the part of this House, to act with a similar committee, on the part of the Senate, to wait upon the Rev. Joshua Bradley, and request him to attend in the Representative Hall, this morning, and open the present session of the General Assembly by solemn prayer; and that the Senate be informed thereof, and a similar committee on their part requested.

Whereupon,

Mr. Brady was appointed that committee on the part of the House.

Mr. Thornton, from the joint committee, appointed by the two Houses of the General Assembly to wait on the Governor, and inform him that quorums of the two Houses have assembled, and are ready to receive any communications he may have to make; reported, that they have performed that duty, and have received for answer, that he will make a communication in writing to the two Houses, in the Representatives' Hall, on this day at 11 o'clock, A. M.

On motion of Mr. Davis,

Resolved, That the Secretary of State be requested to furnish for the use of this House, 38 copies of the local acts revised and published at the last session.

A message from the Senate by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they have adopted the following resolution:

Resolved, That the Senate reciprocate the resolution of the House of Representatives, inviting the Rev. Joshua Bradley to invoke the blessing of Deity on the labors of the two Houses of the General Assembly, and that Mr. Lomax is appointed a committee on the part of the Senate, for that purpose.

Mr. Brady, from the joint committee, appointed on the part of the House to wait upon the Rev. Mr. Bradley, and request him to open the present session of the General Assembly with solemn prayer, reported, that they have discharged that duty, and received for answer, that he will attend for that purpose at half past ten o'clock this morning.

A message from the Senate by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

I am instructed to inform this House, that the Senate has adopted the following resolution:

Resolved by the Senate, That they reciprocate the resolution of the House of Representatives, fixing on Thursday next, at two o'clock, P. M. in the Hall of their house, as the time and place for proceeding to the election of a Senator of the United States, to fill the vacancy occasioned by the death of the Hon. James Noble—that Messrs. Pennington and Sering have been appointed tellers, for said election, on the part of the Senate.

On motion of Mr. Vawter,

Resolved, That the Senate be invited to attend in this Hall, instanter, to be present at the opening of the session by solemn prayer, and that seats be provided for them on the right of the Speaker's chair.

Ordered, That the Clerk inform the Senate thereof.

The Senate then came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when the Rev. Joshua Bradley came in attended by the joint committee appointed for that purpose, and addressed the Throne of Grace with solemn prayer.

The Senate then retired to their chamber.

On motion of Mr. Hoover,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, instanter, to hear the communication of his Excellency the Governor, and that seats be provided for them on the right of the Speaker's chair.

Ordered, That the Clerk inform the Senate thereof.

The Senate came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker—his Excellency the Governor then came in, attended by the joint committee appointed for that purpose, and in the presence of both Houses, in person, delivered the following

MESSAGE:

To the Senate and House of Representatives in General Assembly convened:

GENTLEMEN:

I congratulate you, upon your return to this hall, bringing with you fresh testimonials of the estimation in which you are holden, as public agents, by your constituents. The situation of most of you, is different from mine. Many of you, are just entering upon the arena of public life, anticipating in your career, some good to your country, and some comfort to yourselves. You may yet learn, that, upon this theatre, as upon others, there are disappointment and ingratitude

for your best intentions, and exertions. I am just retiring from this thorny maze, with little to cheer me, save my own consciousness in the rectitude of my aims, carrying along with me, the trophies of my humble services,—a character and constitution, once free from reproach and disease; now, shiprecked by the storms of persecution. But, in the midst of all this, one lasting consolation remains—the active unabated love of my country, still burning in my bosom, cherished by the recollection of the partiality of a majority of the people of the state, repeatedly displayed. Driven to say what is known and felt, my fate as the victim of misrepresentation, and malicious envy may serve to admonish you, to fix a proper estimate upon the value of a public station. One in pursuit of happiness, and guided by patriotism, will never court or decline it. The sacrifice one makes, tho' great, is due to society, when his services are demanded for its use. But, surely, it engraves its incumbents' errors on marble, and their virtues upon a sheet of water: it squanders his resources and leaves him in an unfit condition to regain them.

Let us now unite, in acknowledging our gratitude to HIM whose eternal goodness has distinguished the past year, with so little for regret and so much for gratulation. The homage of a thankful heart, is but a small recompense, for the infinitude of divine favour, which a gracious Providence is continually pouring upon us; it is easily offered, and its omission consequently attended with corresponding criminality. With feelings reconciled towards Heaven and Earth, dictated by that charity which covereth a multitude of transgression and that delighteth in forgiveness, and sacrifice of feeling for past injuries, you are respectfully called upon to receive with indulgence, the last official act of a public servant, just retiring from the service of the state. Now, that he is about exchanging the cares of unthankful office, where good names are lost without crime, for the comforts of private life, where they are regained without envy, he wishes to leave with you this brief *memoria*, as an act of justice to himself and to his friends. Doubt not the sincerity which now assures you, that, in the ascent from the vexed chair of state, into the honor and liberty of the citizen, large calculations are made upon the advantages and consolations consequent upon an exchange of the one for the other. The mind so long pinioned upon the rack of sensibility, already desires for rest, freed from the enemies of its tranquility. Released for the only time, entirely, from the responsibilities and anxieties of public agency, of some kind or other, since my boyhood, those calm and independent characteristic sticks which attach to the private citizen shall now sweeten the vale of retirement, in the period of manhood and domestic enjoyment. For about twelve years past, the state has had my various services and feeble counsel, in both branches of her legislature, and in the executive departments of her government: seven years of which, being in the latter, where my usefulness has fluctuated with the vicissitudes of my standing. Af-

After reviewing my acts, during this period, I venture upon the declaration, that though they have undergone the severest ordeal of public scrutiny, my mind is free from conviction, of having *intentionally* committed error; and, although on some occasions, to have retraced or amended my steps, if possible, would have afforded me sincere pleasure, from being mislead, or being convicted of a former misconception of policy; yet, my recollection carries me to no case, where any act was done or omitted intentionally, involving impropriety, leading to dishonor, or causing the least injury to any of my fellow-citizens.

On my first election, I brought myself under the most sacred obligation to my country, from a high sense of duty, that unidentified with any *party*, the *people*, during my administration, should have my *whole* services, without recognizing the divisions and subdivisions into which party organization might throw them. That pledge has been most faithfully fulfilled. The weight of the executive office, has not been thrown into the scale of any party. It was my highest ambition, to be always the Governor of *no* party, and at the same time the Governor of *all* parties, and yet nothing but the Governor of the PEOPLE. Whilst the discipline of party, in its infancy, was then beheld in its gradual, certain, and fatal approaches upon the vitals of the first principles of the republic, a forecast of a more dangerous maturity, had not failed to awaken, a lively solicitude, for a country's happiness and honor, about to be periled upon the selfish basis of its alternate triumphs and defeats. All that was foreseen and dreaded, has spread itself as a destroying pestilence over the land. It has, deserting principles and measures, converted its votaries into mere scramblers for office. It has overturned *merit* and *virtue*, and substituted test of adhesion to *men*, in their stead. It has swallowed up those venerated doctrines, which distinguishing between *vice* and *virtue*, uphold the political, as well as the moral world.—It has struck its roots deep into the social circle, and threatened to sunder the most sacred ties. It controls the constitution and the laws, and has carried by storm, to its vile ends, the honesty and virtue of the people; inflamed by its delusive appeals. It has corrupted the nation. The heart sickens at the contemplation of the ruin and desolation, which the fierce and unmerciful tyrant has made from lake to sea—from Union to Union line, turning pale, all within. And, still, the sword of the monster is unsheathed. Proscription for opinion's sake is still reveling on its thirsty point. Proscription on *all* hands, by *all* parties, is the order of the day. Are these freedom's fruits? I protest against it, in the name of political liberty, as tending to the ruin of the republic. Free from its influences, this assurance is left of record, that the interest of the state, her honor, and the merit of whatever was before me, in the performance of all my numerous official acts, were the polar stars, which have controlled my doings, with eyes blind, to party operations of any kind. The retrospect is pleasing. The conscience knows itself void of offence.

Though my desire has been, to obtain noble ends by noble means;

the' in vain, the greatest happiness principle, which seeks to bless the greatest number for the greatest period of time, has uniformly found in me an advocate; yet, for causes that will live for their infamy, after the grave shall have secured their authors, less has been effected than was most ardently desired. If there be those, who, believe that at times, error or imprudence have marked my career, and it is not allowed me to justify the *means* by the *end*, my request to such is, that, recognizing human infirmity, as the common inheritance of human nature, they will *now*, when jealousy has ceased to operate, bury their unfavorable impressions forever, under the mantle of charity. Not exempt from *weakness* or *passion*, experiencing my imperfections in wisdom and knowledge, it is not surprising, that something may have been done amiss, left to my own direction without an advising council, amidst the complex and diverse acts performed. Nor, would mine seem to be the only instance, wherein sober reason had been ejected from her empire, by the lash of an untiring opposition. But the *past* shall no longer be recollected, except it is to improve the *future*. The state has had my services, performed with a willing and grateful heart, with the glory, honor, and happiness, and prosperity, of *all* her parts and of *all* her people in view—important public works have been encouraged and brought into existence by my agency—emigration has been induced to the state by all laudable means; she now possesses physical and moral strength in an eminent degree; and it is now my constitutional duty and my privilege, to surrender the power so confidently vested in me, and retire to the enviable shade of privacy, to feel the operation of the laws, which it has been my province to assist in making. Let him whom the popular voice has designated as my successor, take my place. I bespeak for him respect and co-operation, without which, his best endeavors must be unavailing.

Since the time I began to be a co-worker in the political vineyard of Indiana, up to this period, her population has increased from one hundred to about five hundred thousand souls; her counties have triplicated; her resources are quintuple. To bring about these pleasing results, my labours have been incessant. Here, now, is seen, the beginning of a great and flourishing commonwealth, which though green of years, has many of the properties of meridian usefulness and power. Civilization and her attendant blessings are already co-extensive with the lines of the state. The bounties and excellencies of nature and of art, here, essentially satiate every chaste desire. *A prodigy of her years.*

It is of record, that, during my whole term, I have not hesitated to take an open and decisive part, on one side or the other, of all the questions of national or state policy, which have been from time to time, agitated. With *principles* and *men* to execute them for my motto, my flag has been unfurled, in the open field of measures.

Amongst the multiform matters which have interested and excited the public mind, the Tariff and Internal Improvements have stood

foremost. The power to regulate and prosecute these, has appeared to me, to flow most naturally and reasonably, out of the Constitution. No part of the instrument, where these powers are found, is less questionable, than that a Tariff *beyond* revenue purposes, to aid Internal Improvement, and as a consequence to protect domestic manufactures, is *legal* and *politick*.

Internal Improvements in our own state, has been a theme of my choice. If by what has been said, the public mind has only been awakened into an inquiry, into its importance, and prepared to choose the cheapest and best facilities, and give them a judicious location, the principal end of my repeated recommendations, on this subject will have been attained. And further if aught that has been done, or said, has tended to further the prospects of our contemplated canals, and rail roads, and to improve our rivers and common roads, my reward is ample, in the good they may secure to the country.

The safety of the Union, has been, with me for some years past, an all-engrossing subject of continued meditation. My hopes and my fears for its fate, have alternately preponderated. It is now becoming only too evident, however, that there is a mysterious influence at work, acting from design or delusion, to tear the seal from the bond of American liberty. The treason must fail. The awful frown of the nation is upon it. Our stars must not be lessened in number.

A full expression of my views, with respect to the proper disposition of the public lands, favouring a general cession, if possible, on the score of expediency, but failing in this, then, a reduction of price and donations to actual settlers, has been repeatedly made from a clear conviction of the propriety of such measures. To give homes and minds to the indigent, and to aid the state in making commercial facilities, they had my support. It is hoped, that the friends of state and individual equality, will continue to press them, until one or the other is yielded.

The necessity of a less expensive law system, than the one we inherited from great Britain, now governing us, and one not too voluminous to be understood by all of those whom it operates upon, has invited me, from a clear conviction of its practicability, into the ranks of the friends of codification. But, until it shall be manifest, that those who aim to accomplish this great work have secured the entire confidence of the Legislature and the approbation of the people, all labour bestowed upon it would be thrown away. Without encouragement from that source, its adoption, if completed, would be uncertain. Its accomplishment must ever remain doubtful, until *interested opposition* to the principle, shall no longer influence the law-making, and adopting power of the state.

My opinion of the value of education, in all its grades, has not been withheld. Not having been one of its early recipients, myself, experience had taught me its worth, in the use of that which industry alone had acquired. — Physical and mental education, looking to the im-

provement of the head the heart, and the body, at one and the same time, unites antiquity with modern times, in support of its superiority over any other system. This plan, when connected with a practical display of the philanthropic principle, that the state owes to every rational human being, embracing all conditions of the rising youth, an education, may form a subject for the admiration and support of the good, the wise, the great, through the lapse of ages, who look to virtue as the immortal part of a republic—to knowledge as its safety, its power—its glory.

The erection of a suitable number of Asylums, in the state, to ameliorate the condition of the poor, has, from time to time, occupied a prominent place in my advice to the Legislature; and my bosom is still animated with the belief, that yet humanity and reason and the imperious tone of the constitution, may secure their construction.

If my convictions, prompted by actual observation of its futility, when often expressed, could have produced an exchange of our present militia system, for one less burdensome, and less irritating, and more effective; for one which combines knowledge of tactics with energy and efficiency without injury to the feelings or time of any one—the state would be now exempt from the demands of a regulation, which, uselessly, taxes her time and morals to a vast extent.

A friend of equality; an enemy to monopoly; the advocate of the working man—the artist—manufacturer—farmer,—and the learned and useful professions,—opposed to secret or other societies which take their stand *above the laws*—also, to political, unauthorized bodies, attempting to control, awe, or lead public opinion—deprecating all attempts by the national or state Legislatures to define by law, what religion is, or what it is not; unfriendly to the exercise of power to stop the Sunday mails by an act of Congress,—hostile to a union of church and state,—a supporter of political and religious liberty,—disliking sumptuary laws and splendid governments,—a believer in moderate salaries for officers,—a disbeliever in useless etiquette and ceremony, the friend of universal liberty for all colours and in all countries,—in a word, a genuine republican,—and a firm and unwavering disciple of our present form of Government and its institutions;—with *such sentiments*, in my heart, you may account, in some degree, for the matter which has formed always a part of my official communications, and for the uniform plainness of my deportment; and the peculiarity of my views and course.

When the Indian question was raging, it may be seen, that their peaceable removal out of the States, beyond the Mississippi, for governmental regulation, and for the more satisfactory demonstration of their capability for civil life, was approved.

Having also formed an opinion with regard to the renewal of the United States Bank charter, that it should first undergo pretty extensive modification, it was given in no spirit of opposition or support to any party, but in obedience to the call of duty.

Nullification, too, has justly elicited my indignant reprobation. Seen with its train of dreadful evils, in its earliest developments, it soon found me in hostile array against it. Its advocates may be honest yet mislead, but they cannot be the friends of our confederated government, of the supremacy of the constitution and laws, and the sincere followers of our republican institutions in their primitive strength, simplicity and beauty. The states of the union disunited, might, smothered with kindred blood, seek relief from the intolerable scourge of civil war, in some other form of government, leaving the spirit of the federal constitution to brook the geers of the tyrant, triumphing amid its fragments, at the fulfilment of his prophetic lessons to mankind on the instability of republics. This, or any such effect is the possible offspring of such a cause.

Imprisonment for debt, unless for fraud—crime—has been abandoned much to my satisfaction, and an inquiry instituted into the propriety of exchanging the present *public* mode of inflicting capital punishments, for private executions, or solitary confinement in the cell.

The chartered rights, liberties and privileges of the citizen, have been preserved free from infraction in my person, and as a functionary; and though ever despising licentiousness as the worst enemy to good order in society, tending to create and heighten its exacerbations; still, the freedom of speech and of the press, guided by truth and decency, have maintained their high bearing with my most decided acquiescence.

Whenever it has seemed necessary to defend the constitution of the State, to execute her laws, or advocate her interests, has it not been done, at the sacrifice of my standing? though it called down upon my head the keen displeasure of the MIGHTY in their disappointment, or exposed me to the satire of those entertaining different opinions. To know my duty at all times and in every emergency, was not more gratifying, than to execute it *in person*.

When or where did an opportunity present itself to secure to the state an advantage, when it was not eagerly laid hold of, and turned to the best account? And acting upon the dim outline set by my predecessors to guide me, the commission of any act illegal or unconstitutional, or the omission of any one required by either, has been, at all times, the subjects of my most scrupulous care.

Having thus, cursorily, repeated a few of my sentiments, on some of the most prominent topics of the past, and expressed my convictions as to my general course, your attention to me shall be released after a brief expose of the affairs of the last year. It may not be amiss to indulge for a moment in the pleasing reflection, that the last season has given us as many evidences of prosperity, health, and of increase of numbers and resources by emigration, as former ones.—Nothing has occurred, to abate for a moment, the high expectations of our people. After the lapse of a few years, they calculate to exhibit to other states some unequivocal testimony of their character, as an enterprising and intelligent population.

Enviably, indeed, as is our situation, we become infinitely more happy in the comparison of our condition with that of the population of other parts of the globe, where the millions are beasts of burden, and the tens are rolling in their luxury in the name of God. One nation as a David, has of late, turned upon her Goliath oppressor, but tho' we may be permitted to admire the dauntless heroism of Poland in support of a righteous cause, yet it is to be feared, that the fall of Warsaw, gives occasion to the friends of liberty, not only to lament the success of the Russian battalions, but to mourn over the check it gives to the mighty revolution, in progress throughout Europe. But if God is for Poland, she will yet avenge her wrongs upon the hosts of the autocrat in the name of liberty.

The topicks of a general nature, for your consideration, at this session, are not very numerous. After mingling your regrets together, with me, that the State of Ohio is about to withhold from us her assistance and co-operation in the construction of the Wabash and Erie Canal, and then surveying the obstacles in the way of the accomplishment of our wishes without such aid, or consent, you may be inclined to deliberate upon some of the alternatives which experience has substituted in place of the canal, with undoubted success. Preferring the canal, however, on the route it is located, as long as there is a ray of hope for its continuation to the Maumee Bay, merely out of pure regard for the preservation of good faith between the State and the purchaser of the lands sold under constructive pledges to apply their consideration to a work of that kind, yet, when this prospect becomes hopeless, let it be answered if possible, which is the best faith, the construction of a Rail-way with the consent of Congress, and the canal land-holder, or the suffering an entire failure of any facility by the forfeiture of the grant?

Where they are in other respects equal, the majority of the American people, at this day, give the preference to the Rail-way over the canal; the former being altogether the cheapest and best. The abandonment, however, of the Wabash and Erie canal, bound as we are by the most solemn pledge to construct it, by several legislative acts, cannot in good faith be justified now, for any substitute however imposing, unless driven to such course by *unavoidable necessity*. Subject to this qualification, the legislature is most earnestly solicited, by the priceless honor of a state, to take the responsibility fearlessly upon her, of making an energetic and speedy commencement of this work. Justice and the public voice call for this canal, and sanctioned by the growing resources of the state, it ought to be promptly commenced, without further delay. Convinced that you will be sustained by the magnanimous population of Indiana, in furthering this enduring and useful line of commerce, my opinion as to the obligation which rests upon you to make it is cheerfully given.

The Michigan road lands sold in October for \$49,371, as reported

to me by the commissioners. The average is about \$1000 per section, which will apply the same amount to each mile of the road, if the balance of the lands sell as well as these. Contractors upon this road may congratulate themselves in the prospect of the speedy redemption of their scrip. The timber being removed from the road, this season, such improvements upon it the next, as shall make it passable, are required of necessity; which call for an additional sale of the lands.

The legislature ought to continue to look to Congress for appropriations to finish the National Road, already in a considerable state of forwardness. This bond of union, distributor of commerce, and thoroughfare for the march of armies, leveling mountains, raising valleys, and surmounting rivers in its wide range, is already evidencing the policy of its founders, and the wisdom of its present supporters.

The fact that a steam vessel ascended White river last spring, at the instance and risque of a distinguished citizen of this county, may be considered as a pressing call upon the legislature, to appropriate a portion of the three per cent. fund to improve such water courses.

Single Rail-ways are contemplated from Cincinnati and from Louisville to Indianapolis. These are projects which, indeed, are truly commendable; and which by their immense advantages, if ever finished, recommend themselves to our special approbation. If such cities as these, should enter into rival competition with each other, for the vast trade of this rich country, their accomplishment would be certain. It is probable, that an application will be made, to the legislatures of Ohio and Indiana, this winter, for a charter to make the one from Cincinnati to this place; we are notified at least to this effect, from a respectable source. When corporations composed of enterprising individuals, at their own expense, offer to accomplish such works as these, States, unable for the task, should rarely refuse the privilege.

The recent and untested compilation of the laws, admonish the legislature, to make as few changes in them as possible, until their provisions are more fully understood and understandingly disapproved. A code of wholesome laws is emphatically a blessing, still their permanency and immutability are equally so.

Presuming that this session will be principally spent in local legislation, it is thought unnecessary to present but few subjects of a general nature, from a full conviction, that whatever of that class there may be, will not escape your superior sagacity. In you, as the immediate ministers of public sentiment, holding your commissions directly from the ballot box, the reasonable presumption of a knowledge of the wishes and grievances of your constituents, more than any one, is concentrated. Among the subjects which may come before you, at this session, are the formation of congressional districts under the new census; the erection of a State House; a further sale of lots in Indianapolis; a memorial for the final extinguishment of the Indian title; the making provision for the approaching election of Pre-

sident and Vice President of the United States, in this State—and the formation of some new counties.

I refer you to the reports of the Treasurer and agents of the state and of the three per cent. fund for detailed accounts of the finance. As will be seen by the receipts into the Treasury for this year, the present revenue law, will produce means enough, for the use of an economical Government, like ours.

I will not so far underrate your intelligence and patriotism, as to suppose, that at this momentous crisis of the Republic, you will not express your deliberate opinion on the tariff and internal improvement, involving their *constitutionality* and *expediency*; on the distribution of the surplus revenue, so soon as the national debt is paid off; on the renewal of the United States' Bank charter, with or without amendments; and on the treasonable doctrine of nullification; for, strong as are our belief in, and attachment to, the three first of these measures, yet, if their modification and adjustment to the standard of the most enlightened public opinion in all of the States, nationalizing the two, and *diminishing* the pressure of the other, are deemed the only remedy, to crush the ill-omened spirit of rebellion which threatens to demolish the American confederacy, as wise men preferring the lesser to the greater evil, let us unite, in the name of the Constitution; of equal burthens and privileges, and of mutual concession and compromise; to avert the calamities which threaten us. For union and liberty no minor sacrifice is too great. Surreptitious bastard of unchastened ambition, *nullification*, should be accelerated to its destiny, to pour a nation's unmitigated contempt upon its weak or wicked authors. He who overthrows this monster, deserves more gems in his crown, than the conquerer of Pompey, Napoleon or Packerham. He will have earned a nation's gratitude more than once or twice. Jackson, to his immortal honor, has thrown the influence of his great name and official station at the heart of this foe to freedom. Jackson may yet slay the potent enemy, save the Union, and wear the laurel which is in reserve for the brow of the victor. He has said, "*The Union—it must be preserved.*" Let him stand by this sentiment, and the country's second saviour must stand confessed. This act alone, not only entitles the American President, of Roman virtue, to the Presidency again, but will give him a standing in all future time; like Washington's, in the temple of fame. He will live like him and Lafayette, in the hearts of the friends of liberty in two hemispheres. The avowal of these sentiments in these times, by a President, was as bold as it was perilous to his popularity. But it is worthy of the man and in character with himself. Have we no reward for such noble deeds? Until we have some further guarantee that the election of either of the incumbents known competitors, worthy and talented as they are, must not result in a series of convulsions and proscriptions and persecutions, as a consequence of the party struggle which achieved his triumph, more to be deprecated

than any which preceded them, it would appear manifest, that the tranquillity of the country makes a decisive call upon HIM, under whose administration the country has flourished and is now prospering, to serve as long as his great compeer, the Father of his country. No longer the Governor of the State, and freed from my obligations to all, it is deemed due to myself and my country, that this expression of my opinion be made, as a citizen; though convinced it is disapproved by a majority of those addressed. If the *postponement* of Mr. Clay's claims for the Presidency four years longer, and the re-election of General Jackson, disorganize the elements of party strife, confuse and disappoint a reanimated federal junto thirsting for power, and secure to us peace at home; unite society again in the bonds of common respect, and bring our elections back to the test of merit, and save the Union, as is hoped: the good done by the latter, must far exceed the sacrifice of the former, always prepared to give up personal desires to assuage the public grievances, as good patriots. His election, without opposition, would be most consonant to the dictates of prudence, by the permission of his competitors, and the acquiescence of their friends, finding such a result inevitable. Though we may take exceptions to some acts of an administration, yet their number or their magnitude is not to be contrasted with the value of the Union. Neither should an aberration or two, bring down upon its head a sweeping exclusion from authority when surrounded by a rich cluster of virtues. The present National Chief following the footsteps of his republican predecessors; having fulfilled the expectations he created before his election; and having given indubitable proofs of his qualification; there can be no good *disinterested* reason offered, why he should not serve as long as Washington, Jefferson, Madison and Monroe; and as long as Adams *deserved* to serve, at a nation's call. Each new administration is beset by a hungry swarm. The monitions of the fable; enter a *caveat* to the people. This is no time for experiments, for personal aggrandizement, or the gratification of party pride and ambition; no time for theoretical speculation.

An attentive observer of the acts of this administration, my mind has embraced the conclusion, that the American people have little to *fear*, and much to hope for, from it. All of the departments are under the direction of accomplished, able men. Its measures differ but little from those of the administrations which preceded it, and the abilities of chief and *subordinates* cannot suffer in comparison with any of their predecessors. My individual vote, will, therefore, be given to the incumbent, if he is a candidate for a re-election, unless he yet does something to render him undeserving.

Suffer me to add in conclusion, the expression of my most sincere hope, that you may cultivate a spirit of friendly feeling and intercourse towards each other, with eyes closed upon the politicks of the day; and that all of the departments of the State government may harmoniously "dwell together in unity," and co-operate with each

other, remembering the distinctive character of the official action of each for the good of the whole. In this temper of mind and inspired with these views; in the love of my adopted State, of her people, and with a heart glowing with pride and joy at the contemplation of her exalted destiny, I cordially tender you the pledge of a lasting farewell.

The Senate then retired to their chamber,
And the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Vawter,

Resolved, That the public printer be furnished with the Address of His Excellency, the Governor, and that he print for the use of the members and officers of this House 1500 copies thereof.

Mr. Thornton moved the following resolution:

Resolved, That this House do now proceed to the election of a Sergeant at Arms.

Which was read, and

On motion of Mr. Steele,

Ordered, That the said resolution do lie on the table.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am instructed by the senate to inform the House of Representatives, that they have adopted the following resolution:

Resolved, That the House of Representatives be informed, that the Senate will meet them instanter, in the Representative Hall, for the purpose of counting the votes given at the last August election for Governor and Lieutenant Governor.

Mr. Morris moved the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, instanter, while the Speaker of the House of Representatives opens and publishes the returns of the election for Governor and Lieu't Governor of the State of Indiana; and that seats be provided for them on the right of the Speaker's chair.

Mr. Wilson moved to amend said resolution by striking out thereof the word 'instanter,' and inserting in lieu thereof the words 'tomorrow at 2 o'clock, P. M.'

Which motion was decided in the negative, and

On the question to adopt said resolution,

It was carried in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Davis,

Resolved, that the message of His Excellency the Governor, be referred to a committee of the whole House and made the order of the day for Friday next.

The Senate came down and took their seats on the right of the Speaker's chair—the President of the Senate on the right of the Speaker. The Speaker then proceeded to open and publish in the presence of both Houses of the General Assembly, the returns of the election for Governor and Lieutenant Governor, held on the first Monday in August last in the several counties of this State; and having made some progress therein, the Senate withdrew to their chamber.

And the House adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY MORNING, DEC. 7, 1831.

The House met pursuant to adjournment.

Mr. Vawter moved the following resolution:

Resolved, That the door-keeper of this House proceed without delay to procure two first rate stoves with pipes, and place the same in the lobby of this House for the use of the House and visitors.

A motion was made by Mr. Wilson to amend the same, so as to direct the procuring of but one stove, and

Before the question was put thereon, it was

On motion of Mr. Wallace,

Ordered, That said resolution and proposed amendment be laid on the table.

John Gardner, a member from county of Vermillion, appeared, produced his credentials, was sworn into office by the Hon. Isaac Blackford, and took his seat.

The Speaker appointed the following Standing Committees, to wit:

1. *A committee of Elections:*

Messrs. Crume, Wallace, Moyer, Heaton, Baber, Jones, Cox, Alley, Hite and Hargrove.

2. *Of Ways and Means:*

Messrs. Cotton, Bonner, Grover, Vawter, Crumpton, Paddacks, Reynolds, Moyer, Robinson and Steele.

3. *On the Judiciary:*

Messrs Thornton, Ferguson, Finch, Cravens, Bryant, Noble, Willet, Angle and Livingston.

4. *On Education:*

Messrs. Slaughter, Murry, Morris, Proffit, Frame, Davis, Stevenson, Henley, Griggs and Ferguson.

5. *On Military Affairs:*

Messrs. Casey, Rose, Durham, Steele, Flake, Parks, Bell, Polke and Wooden.

6. *On the affairs of the State Prison:*

Messrs. Lane, Paddacks, Caldwell, Alley, Peyton, Stevenson, Polke, Parks and Tebbs.

7. *On the affairs of the town of Indianapolis:*

Messrs. Morris, Brady, Grover, Smiley, Noble, Lane, Gardner, Decker, Henderson and Willet.

8. *On Claims:*

Messrs. Logan, Conner, Ruddick, Clark, Secrest, Hoover, Parks, Decker, Reid and Bell.

9. *On Roads:*

Messrs. Wilson, Smiley, Williams, Harrod, Clawson, Lynd, Aker, Reid, Stanford, Mastin, Nelson, Maxwell and Brady.

10. *On Canals and Internal Improvements:*

Messrs. Hanna, Finch, Murry, Davis, Cravens, Wilson, Culley, Gardner and Bonner.

On motion of Mr. Logan,

Resolved, That the door-keeper be directed to prepare a suitable number of seats in the gallery of this Hall for the accommodation of spectators.

The Speaker laid before the House the following communications from the Secretary, which were severally read and referred to the committee of Ways and Means.

The Secretary of State has the honor to submit to the General Assembly, the following report of contracts made with individuals, in pursuance of the "act to provide for the distribution of the laws and journals and for other purposes," approved February 10th, 1831.

On the 6th of April last, a contract was made with John Cain, for the binding of 2250 copies of the Revised Laws of 1831 at 35 cents per copy; and on the same day, a similar contract was made with Robert Goudy, for binding 1750 copies at the same price. Mr. Cain also agreed to a modification of his original contract for binding, so as to half bind the special acts of last session at nine cents and the militia law at seven cents per volume. It may be proper to observe, that as the printing of the revised code was in progress, and previous to the time at which the contract for binding was authorized to be let, and in order to facilitate the appearance of the laws, at as early

a period as possible, Mr. Cain was employed, without any specific price, to fold, gather and press the sheets of the Revised Code, as they came from the printer; and for which labor he was allowed by the state officers, the sum of seven and a half cents per volume.

On the 10th of June, the distributing of the laws and journals was let as follows, and at the prices annexed to the names of the different contractors—viz:

1st circuit, to Isaac Fisher, at the sum of	-	-	\$75 00
2d do. to Aaron Jennings at	-	-	50 00
3d do. to William Barnet at	-	-	44 00
4th do. to Elias Osburn at	-	-	65 00
5th do. to Robert Goudy at	-	-	39 00
6th do. to Peter F. Newland at	-	-	70 00
7th do. to G. W. Moore at	-	-	40 00

On the 27th day of August the public printing for one year ensuing that date, was let in three several parcels, to the following individuals, viz:

Messrs. Douglass & M'Guire have the job of printing the laws, bills of the House of Representatives and blanks for the public officers.

A. F. Morrison has the job of printing the journal, bills and all orders of the Senate.

Nathaniel Bolton has the job of printing the journal and all orders of the House of Representatives except bills.

The prices are uniform as to each printer, and are as follows:

Composition 34 3-4 cents per 1000 ems.

Do. 75 " " Rule and figure.

Press work 40 " per token, medium and under.

Do. 45 cents, royal.

Blanks for offices per ream \$10 00.

The bonds for for the public printing require the execution and completion of the work, in the manner and within the time specified by law.

If the General Assembly intend to have the laws of the present session half bound, provision should be made for it within such short period as will enable the undertaker to supply himself with the necessary materials as speedily as possible.

Bills were received from several individuals for the necessary supply of stationary for the use of the General Assembly, which were so similar as to render it doubtful which of them was really entitled to the contract—and this doubt suggested the propriety of rejecting all, and to order a supply of the principal articles from Cincinnati, which has been done.

David L. Gregg has the contract for furnishing 100 cords of wood, delivered at the Court House—cut in three feet lengths, and split up suitable for fuel, at 62½ cents per cord.—As some dissatisfaction has been expressed from an interested quarter, as regards the letting of

the public printing, an explanation in this report will it is hoped, be pardoned.

Two proposals were received from an individual, one of which was for the printing of the Senate the other for that of the House of Representatives, leaving out the laws, and other printing. These two bids, although for exactly similar work, varied materially in price, but as the gentlemen among whom the whole work was let, had put in a joint bid, (though specifying the part each one would do) and declaring in that bid, that it was intended for the whole work or none, the officers did not feel at liberty to exclude those who were willing to do the whole work, at a fair price, and leave so important an item as the laws, unprovided for. There were other considerations equally weighty, which operated with the officers and which if it should be deemed important, they will cheerfully explain to the General Assembly, or to any committee which may make a call on them for that purpose.

Respectfully submitted,

JAMES MORRISON.

December 6th, 1831.

The Secretary of State discharging the duties of State Librarian, respectfully submits to the General Assembly a statement of the disposition of the one hundred dollars appropriated for the increase of the State Library within the current year, pursuant to the "Act to establish a State Library" approved February 10, 1831.

Bill of Books purchased at Philadelphia,

1	copy	Jefferson's works 4 vols.	-	-	-	-	\$9 00
12	copies	Jefferson's Manual e. 29,	-	-	-	-	3 48
1	do.	Chataubriand's travels,	-	-	-	-	1 60
1	do.	Water Witch,	-	-	-	-	1 50
1	do.	Franklin's Narrative,	-	-	-	-	1 75
1	do.	do. 2d vol.	-	-	-	-	1 50
1	do.	Edward's West Indies 4 vol.	-	-	-	-	5 00
1	do.	Malte Brun's Geography 4 vol.	-	-	-	-	7 50
1	do.	Tytler's history	-	-	-	-	67
1	do.	Everett's Europe	-	-	-	-	1 50
1	do.	Vattel's Law of Nations,	-	-	-	-	1 75
1	do.	British Spy,	-	-	-	-	42
1	do.	3d, vol. Modern Europe,	-	-	-	-	2 70
1	do.	Foster's Essays,	-	-	-	-	42
1	copy	Wept of the Wishton-wish	-	-	-	-	1 25
1	"	Set Cooper's work 14 vol's.	-	-	-	-	8 50
		Box, transportation, &c.	-	-	-	-	8 69

\$57 23

Books purchased at Cincinnati.

1 copy	Chastellux's Travels,	75
1 "	Beltrame's Pilgrimage,	1 50
1 "	Saxe Weimar's Travels,	1 53
1 "	Pike's Expedition,	1 60
1 "	Capt. Hall's Travels,	1 60
1 "	Simond's Switzerland,	2 00
1 "	Diplomatic Correspondence,	4 00
1 "	Secret Debates,	38
1 "	Life of Pinkney,	1 30
1 "	Life of Paul Jones,	1 20
1 "	Segurs Memoir's,	1 25
1 "	Civil Engineering,	1 87
1 "	Internal Navigation, United States,	2 33
1 "	Rush on the Mind,	1 67
1 "	History of Louisiana,	2 25
1 "	Curries Miscellanies,	2 00
1 "	" " " " " "	1 50
1 "	Bourrinno's Memoirs,	4 00
1 "	Cook's Voyages,	2 50

\$35 33

discount,

2 33

33 00

Transportation, &c.

2 00

35 00

Paid R. Goudy in part for family

Library 14 vol's, 1 25 per vol.

- 7 75

42 77

Philadelphia bill as above,

57 23

Total

\$100 00

Respectfully submitted,

Dec. 6th, 1831.

JAMES MORRISON.

Mr. Crompton moved the following resolution:

Resolved, That the door-keeper be instructed to remove the banisters, and make the necessary arrangement for the occupying of all the lower part of the Hall, for the use of the members;

Which was read; and

On motion of Mr. Robinson,

It was ordered that the said resolution be laid on the table.

Mr. Ferguson moved the following resolution:

Resolved, That the committee on the affairs of the State Prison, be

instructed to bring in a bill to provide for the relief of the subscribers to the same.

Mr. Willet moved so to amend said resolution as to direct the committee to enquire into the expediency of bringing in the bill;

Which motion was carried in the affirmative.

The said resolution as amended was then adopted.

On motion of Mr. Stanford,

Resolved, That a committee of five be appointed to enquire whether any amendment be necessary to the law of this State, providing for the printing and distributing the laws and journals thereof, and if any, what—with leave to report by bill or otherwise.

Messrs. Stanford, Finch, Noble, Thornton and Davis were appointed that committee.

On motion of Mr. Hoover,

Resolved, That the public printer be, and he is hereby authorised to print 1200 copies of the journals of this House for the use of the members thereof to be distributed as may be directed by the General Assembly, and that the clerk furnish said printer with manuscript copies of said journal daily as soon as possible, after being read.

Mr Durham moved the following resolution:

Resolved, That the editors of the Indiana Journal and Indiana Democrat be requested to furnish at the expense of the State, to each member of this House three copies of their public papers, at each publication, during the present session.

Mr. Steele moved to lay said resolution on the table;

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Caldwell, Casey, Clark, Crumpton, Culley, Decker, Finch, Henderson, Hite, Hoover, Jones, Lane, Livingston, Mastin, Maxwell, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Robinson, Secrest, Steele, Stevenson, Thornton, Vawter, Wallace, Williams, and Wooden.—34.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bell, Brady, Bryant, Clawson, Conner, Cotton, Cox, Cravens, Crum, Davis, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henley, Logan, Lynd, Morris, Moyer, Noble, Reynolds, Rose, Ruddick, Slaughter, Smiley, Stanford, Tebbs, Willet, Wilson, and Moore Speaker—40.

And so said motion was decided in the negative.

Mr. Hoover moved to amend the resolution by striking out therefrom the words "the State to."

Before the question was put thereon,

Mr. Thornton moved to postpone the further consideration of said resolution and proposed amendment until to-morrow:

Which motion was decided in the negative, and

The question being put on the proposed amendment,

It was decided in the negative.

The question recurring on the adoption of said resolution, and

The ayes and noes being demanded by two members,

Those who voted in the affirmative are,

Messrs. Alley, Bryant, Cotton, Cravens, Culley, Davis, Durham, Ferguson, Gardner, Griggs, Grover, Hanna, Harrod, Henley, Livingston, Noble, Reynolds, Rose, Ruddick, Slaughter, Smiley, Tebbs, Thornton, and Moore Speaker—24.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady, Caldwell, Casey, Clark, Clawson, Conner, Cox, Crume, Crumpton, Decker, Finch, Flake, Frame, Hargrove, Heaton, Henderson, Hite, Hoover, Jones, Lane, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Robinson, Secrest, Stanford, Steele, Stevenson, Vawter, Wallace, Willet, Williams, Wilson and Wooden—50.

And so said resolution was not adopted.

Mr. Willet moved that the clerk be directed, whenever the ayes and noes are called for on any question, to read over the names of members with their votes so soon as the vote of the House is taken;

Which motion was decided in the negative.

On motion of Mr. Slaughter,

Resolved, That the Senate be informed that the House of Representatives are now ready to proceed to the opening of the further returns for Governor and Lieutenant Governor, and that their presence is required, and that seats are prepared for them on the right of the Speaker's chair.

Mr. Hoover moved the following resolution, which was read and ordered to lie on the table:

Resolved, That the Secretary of State be instructed to transmit to this House the number of votes received for Governor and Lieutenant Governor, from all counties from which certified copies have not been directed to the Speaker of the House of Representatives, and that the same be received by this House.

The Senate came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker; when, in the presence of both Houses, the residue of the election returns for Governor and Lieutenant Governor

were opened and published by the Speaker; and on counting all the votes as returned, it appeared that for the office of Governor, Noah Noble had received seventeen thousand nine hundred and fifty-nine votes—James G. Read, for the same office, fifteen thousand one hundred and sixty-eight votes—Milton Stapp, for the same office, four thousand four hundred and twenty-two votes.

Noah Noble of Marion county, having received a plurality of the votes given was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected Governor of the State of Indiana, for the term of three years from and after this day, and until his successor shall be chosen and qualified.

For the office of Lieutenant Governor, it appeared that David Wallace had received seventeen thousand one hundred and one votes; Ross Smiley, for the same office, twelve thousand eight hundred and fifty-eight votes; James Gregory, for the same office, five thousand three hundred and forty-six votes.

David Wallace, of Franklin county, having received a plurality of all the votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Lieutenant Governor of the State of Indiana, for the term of three years from and after this day and until his successor shall be chosen and qualified.

The Senate then retired to their chamber,

And the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Stevenson,

Resolved, That a committee of two be appointed, on the part of the House, to wait on Noah Noble and David Wallace and inform them of their elections for Governor and Lieutenant Governor, and know of them at what time they will attend and be sworn into office; and that the Senate be informed thereof and a similar committee on their part requested:

Whereupon,

Messrs. Stevenson and Cotton were appointed of that committee on the part of the House.

Mr. Ferguson moved the following resolution, which was not adopted:

Resolved, That a committee of three be appointed to prepare and report the unfinished business of last session.

The Speaker laid before the House a certified copy of a communication from the grand jury of Knox county, recommending the c-

lection of General W. Johnston as President Judge of that Circuit;
Which was read and ordered to lie on the table.

The Speaker laid before the House a communication from the Probate Judge of Vigo county, relative to the fees of his office;
Which was read and ordered to lie on the table.

On motion of Mr. Morris,

Resolved, That a committee of two be appointed on the part of this House, to act with a similar committee on the part of the Senate, as a committee of enrolled bills:

Whereupon,

Messrs. Morris and Hoover were appointed that committee.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives that they have adopted the following resolution:

Resolved, That a committee be appointed on the part of the Senate to act with a similar committee on the part of the House of Representatives to wait on Noah Noble and David Wallace Esqr's and inform them that they have been respectively elected to the office of Governor and Lieutenant Governor and to inquire of them at what time it will suit their convenience to be inducted into office—Messrs. Pennington and Morgan have been appointed said committee on the part of the Senate.

On motion of Mr. Alley,

The resolution moved by Mr. Thornton and laid on the table on yesterday, relative to the election of a sergeant at arms was taken up, when,

Mr. Vawter moved that the further consideration thereof be indefinitely postponed,

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Alley, Bell, Brady, Caldwell, Casey, Clark, Clawson, Cox, Crume, Davis, Decker, Durham, Frame, Hargrove, Heaton, Henley, Hite, Hoover, Jones, Lane, Logan, Lynd, Mastin, Morris, Moyer, Murray, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Robinson, Secrest, Slaughter, Smiley, Stanford, Steele, Tebbs, Vawter, Wallace, Willet, Wilson, and Wooden—44.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bonner, Bryant, Conner, Cravens,

Crumpton, Culley, Ferguson, Finch, Flake, Gardner, Griggs, Grover, Hanna, Harrod, Henderson, Livingston, Maxwell, Nelson, Noble, Reynolds, Rose, Ruddick, Thornton, Williams and Moore Speaker—26.

And so the further consideration of said resolution was indefinitely postponed.

On motion of Mr. Vawter,

Resolved, That the members of this House will meet the members of the Senate in the Representative Hall on Saturday next at 2 o'clock P. M. for the purpose of electing President Judges and Prosecuting Attornies in those circuits for which it will become the duty of the present Legislature to elect those officers, and that the Senate be informed of the adoption of this resolution and a concurring one on their part requested.

Mr. Stanford moved the following resolution:

Resolved, That the committee on Military Affairs be instructed to enquire into the expediency of so amending the militia law of the State, that whenever hereafter it may be necessary to elect a Colonel Lieutenant Colonel or Major for any regiment in this State, the persons bound to perform military duty may meet at their respective places of company musters, and there hold an election for that purpose.

Mr. Brady moved to amend the same so as to direct the committee further to enquire into the expediency of exempting from military duty in time of peace all persons over thirty five years of age.

Mr. Wooden moved to amend said proposed amendment by striking out therefrom the word "35" and inserting in lieu thereof the word "40"

Before the question was put thereon,

Mr. Logan moved to lay said resolution and proposed amendments on the table;

Which motion passed in the affirmative.

Mr. Stevenson from the joint committee appointed to wait on Noah Noble Governor elect, and David Wallace Lieutenant Governor elect, and to know of them when it would be convenient for them to take the oath of office, reported that the committee have performed that duty and received for answer, that they will attend instanter in the Representative Hall for that purpose.

On motion of Mr. Hoover,

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives instanter, to be present at the induction into office of Noah Noble and David Wallace and that seats will be provided for them on the right of the Speaker's chair.

Ordered, that the clerk, inform the Senate thereof.

The Senate came down into the Representative Hall and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when Noah Noble Governor elect, and David Wallace Lieutenant Governor elect, came in attended by the joint committee appointed for that purpose, who then, in the presence of both Houses of the General Assembly, respectively took the oath of office prescribed by the constitution of this State, which were administered by the Hon. Isaac Blackford one of the Judges of the Supreme Court of the said State, after which His Excellency NOAH NOBLE delivered the following

ADDRESS:

Senators, Representatives,

and Fellow Citizens:

You have assembled in the Representative Hall, to witness my pledge of fidelity to the Constitution, accompanied with a solemn asseveration, faithfully and impartially to discharge the duties appertaining to the office of Chief Magistrate of the State.

In taking upon myself the labors, and assuming the responsibilities of a station, the most distinguished within the gift of my fellow citizens of Indiana, I avail myself of the presence of their Senators, Representatives, and other public functionaries, to express the grateful feelings, and acknowledge the high sense of obligation, this distinguished mark of confidence has awakened in my bosom; and while I tender to you, and through you to the people of the State, my respectful thanks for the honor conferred by their suffrages, permit me, in this public manner, to renew the pledge, that my time and humble talents shall be faithfully employed in the promotion of their prosperity and happiness.

The instrument I have just promised to respect as the land mark of my official course, has clearly defined the powers and duties of the co-ordinate branches, and established the boundaries of the executive, legislative and judicial departments of the government; and although these, with the success which has attended the building up of our moral, civil and political institutions, and the rapid march we have made towards a higher destiny, have sufficiently marked the way and lighted the path, that I should tread; yet, at the commencement of a new executive term, the usages of the country require, and you may expect at my hands, an outline of the policy prescribed for my government.

Among the prominent measures and the important duties that will annually claim a share of our deliberations, is that enjoined by the Constitution to provide a general system of education. In a short time the reins of government will pass to other hands, and the places

we occupy, must be filled by the youths of the land. "Knowledge is power;" and all power rightfully derived, comes from the hands of the people. That our free institutions may be perpetuated, it is not enough that we provide a few who are qualified to sit in the councils, or guide the helm of state—we must commence at the fountain of power, with the great mass of the people, to cultivate and enlighten the public mind, by a diffusion of the benefits of education. Hitherto, in Indiana, wealth has given no claim to office; and when the farmers and mechanics reflect that their sons, with the assistance of education, can travel in the path to distinction, and enter into competition, on equal grounds, for the posts of honor, they will come forward and lend their aid to sustain us in any plan calculated to ensure to their offspring such benefits. Admonished then, as we are, of the necessity of the measure, from our own knowledge of the wants of the portion of society in which we each live, motives of interest, philanthropy and patriotism, invite us to immediate action; and on my part, I am not only willing to act efficiently, but to meet responsibility in such a cause.

The sphere of action of the State authorities being circumscribed by their territorial limits, it is not within the reach of State legislation to devise or carry into effect any general plan for the protection of the agricultural, manufacturing and commercial interests of the nation, to develop our national resources, or to render us independent of foreign industry and ingenuity, as well as of foreign legislation.—These powers have been wisely committed to the supervising care of the national legislature, and it is to that source we must look for the improvement of our natural, and the opening of new and artificial channels of commercial intercommunication between the several states, the creation of home markets for the varied products of the country, by the protection of domestic industry and enterprise, and for the establishment and maintenance of a sound, uniform and equal currency throughout the Union. Experience has abundantly tested the utility and expediency of the 'American System,' and demonstrated that our prosperity and future hopes depend upon its prosecution; and although we cannot officially participate in the work, we can exert a moral influence and strengthen the hands of the laborers in the cause, by an expression of our approbation on suitable occasions.

There are, however, within the range of duties and within the scope of powers delegated to us, many important objects to be accomplished, auxiliary to the general system, and essential to a full participation in its benefits. For years to come we must be an agricultural people, and the surplus produce of the country must be transported beyond the confines of the State to find a market. It is obvious then, that while the general government is preparing the great national thoroughfares, and creating consumption by fostering manufactures, it is our interest and duty faithfully and economically to

apply the means placed at our control by the national government, to their legitimate objects, and to exert ourselves to call into requisition the latent resources and the energies of the State, to improve our rivers, and by making lateral roads and canals, to facilitate the conveyance of the various commodities of our State.

It was the opinion of some who were actors in the eventful struggles of the revolution, and who assisted in framing the Federal Constitution, that any attempt to discipline the whole body of the militia of the Union would be "as futile as it would prove injurious." But notwithstanding the verification of this opinion, and the price we have paid for our lessons of experience on that subject, we still prosecute the plan by calling fifty thousand of our citizens from their avocations three days in each year, who return to their pursuits as destitute of a knowledge of the science as before. In my opinion, if at all attainable, the design is too gigantic to be accomplished under state auspices; and until the general government, to which it properly belongs, shall take the subject into hand, and adopt some general system that will lessen the burthens to the country by reducing the numbers, and that will equalize the service throughout the States, without oppression to any, and ensure uniformity and concert, we can never hope for an efficient militia. But in the adoption of a substitute, care should be observed that the States are not deprived of any of their attributes of sovereignty, and that the militia thus organized should be the militia of the states and not of the national government.

It is important to the future growth and prosperity of Indiana, that the remaining Indian title to lands within her borders should be speedily extinguished. In several remote parts of our territory, counties have been laid off with flourishing and rapidly increasing settlements, between which and the seat of government are large bodies of these lands. The expense attending the extension of our civil jurisdiction over these remote and detached settlements, and of affording the protection of our laws to our citizens, is greatly enhanced, while we are deprived of the advantages that would accrue from the settlement of the intermediate country, by giving a northern and eastern direction to a portion of our commerce. With that object alone in view, it should be a favorite measure with us to obtain an extinguishment of these titles.

Next in importance to the establishment of government upon the principles of equality and justice, and the enactment of wise and wholesome laws is the principle, that government should be administered cheaply. Heavy exactions may countervail all its advantages. Knowing as I do, that many of our citizens encounter difficulty in meeting the assessments under our present revenue laws, I shall be an advocate of the most rigid economy in public expenditures consistent with public duty. But so long as we have annually to provide for the wants of the influx of population by organizing new territory, indeed,

until the extensive territory in the North is brought under our jurisdiction, we cannot promise ourselves a diminution of the present rate of taxation, for state purposes.

At a crisis, and with an opportunity, like the present, it may be expected I will bestow a passing remark on the subject of "State Rights," that fruitful theme for declamation, excitement, and I might add, self aggrandisement in certain sections of the Union. Having no inducement to conceal my sentiments on any topic of the kind, I will observe, that I am a strenuous advocate for the constitutional sovereignty, the distinctive independence of the States, and whilst I am honored with a share in the administration of public affairs, I will not tamely or silently overlook any encroachment upon the rights reserved to the States, by the Federal Constitution. But whilst I am thus explicit, I must also aver, that after an examination of the subject, I entertain no fears of consolidation from the enactments of the national legislature, neither have I been able to detect the least infringement upon the rights of the States, from an exercise of the disputed powers, to discover any of the alleged evils flowing to any portion of the Union, nor any thing to justify the menaces offered the authority of the Federal Government. It should be remembered, that, in the integrity of the Union consists our glory and strength, and upon its continuance depend our peace, prosperity and happiness as a nation. It is dangerous to trifle with such things, and he who "enfeebles the sacred ties that bind together the various parts," or openly speaks of dissevering the Union by resisting its authority, incurs a fearful responsibility. It is strange, that those who are so tenacious of "State Rights," and so extremely sensitive of what they denominate "violations of the Federal Constitution" as to be blind to the dangers of the opposite extreme, and in their over-zealous efforts to vindicate the constitution, manifest so little regard for that which the constitution was designed to preserve—the Union of the States.

We all know, gentlemen, that the violent contest for power, under Federal authority, waged the last half dozen years, has turned out to be little else than a mere scuffle for office, and in reviewing the part we have each taken, no doubt we will all have much to regret. That tranquility and repose may be restored to society and harmony pervade the councils of the State, so far as example on my part will accomplish the desirable objects, I am resolved, that in my official course, and in the disposition of the patronage attached to the executive, no trace of party shall be found, nor shall my political friends induce the inquiry or approach me with the argument, that this or that individual, was or was not, recently in my support. My aspirations shall be for the good of my fellow citizens *all*, and so far as I have been made to feel the smart of this party violence, its influence is now a stranger to my bosom, and shall be lost to my memory.

Allow me gentlemen, Senators and Representatives, to urge upon your consideration the importance of a mutual cultivation of harmony.

and good feeling in all our intercourse, and on my part I now offer you the assurance that frankness and undisguised friendship shall mark my course, and that I will hail the returning period and greet your coming together, that we may annually mingle our councils and unite our efforts for the common good.

In presenting subjects for the deliberation of the Legislature, I trust my suggestions will be made in the spirit of the constitution, as the advice of one, who from his official situation is bound to know and understand public concerns; and I only ask that they may receive a candid examination at your hands. And in the discharge of all executive duties it shall be my desire to preserve all the barriers to encroachments on the other departments, to refrain from an abuse of executive privileges and to avoid any step calculated to loosen those restraints imposed by official propriety.

Whilst conforming to these outlines, in my efforts to be useful, will the aid and friendly countenance of grave Senators be awarded me? and shall I enjoy the approving support of worthy Representatives? If so, I embark cheerfully and without dread of consequences in my official career.

The Senate then retired to their chamber,

And the House adjourned until to-morrow morning at nine o'clock.

THURSDAY MORNING, DECEMBER 8, 1831.

The House met pursuant to adjournment.

A message from the Senate, by Mr. Morris their assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they reciprocate the Resolution of the House fixing on Saturday next at two o'clock P. M. as the time for electing such Judges and Prosecutors as it may be the duty of this General Assembly to elect.

Mr. Lane presented a petition of sundry citizens of Vanderburgh county, praying the repeal of an act of the last session in relation to a road from Evansville to Anthony's ferry;

Which was read and referred to a select committee of Messrs. Lane, Stevenson, and Paddacks.

Mr. Crumè presented a petition of Joseph Minor and others, praying a road from Connersville via Smelser's mill to Raysville;

Which was read and referred to the committee on roads.

Mr. Robinson presented a petition of William Markland and others, praying a road from Napoleon via Cory's mills to Brookville;
Which was read and referred to the committee on roads.

Mr. Vawter presented a petition of John Boner of Jennings county, praying for relief, with accompanying documents;
Which was read; and,

On motion of Mr. Vawter,

Was referred to a select committee of seven.

Ordered, That Messrs. Vawter, Cravens, Willet, Flake, Henderson, Crume, and Decker, be that committee.

Mr. Decker presented a petition of sundry citizens of Knox county, praying a statutory provision upon the subject of insufficient mill-dams;

Which was read and referred to the committee on the Judiciary.

Mr. Aker presented a petition of the heirs at law of Zackariah Puckett deceased, praying authority to Isom Puckett to convey certain real estate of the deceased;

Which was read and referred to the committee on the judiciary.

Mr. Culley presented a petition of George H. Dunn and others, praying the incorporation of a company to construct a rail-road from Lawrenceburgh to Indianapolis;

Mr. Morris presented a petition of Milton Robins and others, of the same purport as the one last named;

Which two petitions were read and referred to the committee on Canals and Internal Improvements.

Mr. Cravens presented two petitions of citizens of Jefferson and Jennings counties praying a change in the state road from Madison to Vernon;

Which were read and referred to the committee on roads.

Theodore C. Cong, a member from the county of Vigo appeared, produced his credentials, was sworn into office by the Honorable Isaac Blackford, and took his seat.

On motion of Mr. Logan,

The certificates of election of the members of this House, were referred to the committee of elections.

Mr. Hoover moved the following resolution:

Resolved, That the public printer be requested to call on the Governor for a copy of his inaugural address and publish 1000 copies thereof for the use of the members of this House.

Mr. Steele moved to amend said resolution so as that a committee of two be appointed to wait upon the Governor and request a copy of said message for publication;

Which motion passed in the affirmative;

Mr. Crume moved further to amend the same by striking out therefrom the words "1000" and inserting in lieu thereof the words "1500",

Which motion was carried in the affirmative, and

The said resolution, as amended, was then agreed to.

Ordered, That Messrs. Hoover and Steele be appointed a committee in pursuance thereof.

On motion of Mr. Wilson,

Mr. Cone was added to the committee on canals and internal improvements.

On motion of Mr. Finch,

Mr. Cone was added to the committee on the judiciary.

Mr. Noble moved the following resolution:

Resolved, That the committee on the judiciary, be instructed to report a bill requiring justices of the peace, previous to entering upon the duties of their office, to give bond with sufficient sureties for the faithful performance of the same;

Mr. Willet moved to amend the same so as to direct said committee to enquire into the expediency of such a provision;

Which motion passed in the affirmative.

And on the question to adopt said resolution as amended,

It was carried in the affirmative.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives that Messrs. Worth and Wallace have been appointed, on the part of the Senate, a committee on enrolled bills.

On motion of Mr. Cravens,

Resolved, That a committee be appointed to enquire into the expediency of incorporating a company for the purpose of constructing a rail-road from the town of Madison to Indianapolis;

Whereupon,

Messrs. Cravens, Cotton, Noble and Vawter were appointed that committee.

Mr. Conner moved the following resolution:

Resolved, That a select committee be appointed to enquire into the expediency of giving further time to the contractors of the Michigan road, for the completion of the same,

Which was read; and

On motion of Mr. Wilson,

Ordered, That the same do lie on the table.

On motion of Mr. Hanna,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of prohibiting the sale or giving of ardent spirits to the Indians.

Mr. Wilson, after having obtained leave, presented two petitions; one of sundry citizens of Cass county, and the other of the interpreter and chiefs of the Pottawattimie and Miami nation of Indians, praying an act restraining the sale or gift of spirituous liquors to the Indians;

Which were severally read and referred to the committee on the judiciary.

Mr. Cravens moved the following resolution;

Resolved, That the committee on the judiciary be instructed to enquire into the propriety of so amending an "act regulating the interest of money in the State of Indiana," approved February 1, 1831, as to repeal so much thereof as authorizes any higher rate of interest than six per centum per annum;

Mr Stevenson moved to lay said resolution on the table;

Which motion was decided in the negative,

Mr. Willet moved to amend the resolution so as to refer the enquiry to a select committee instead of the judiciary committee.

Before the question was put thereon,

Mr. Parks moved that the further consideration of said resolution and proposed amendment be postponed indefinitely;

And the ayes and noes being demanded by two members,

Those who voted in the affirmative are,

Messrs. Alley, Bryant, Casey, Crumpton, Gardner, Hite, Hoover, Lane, Lynd, Moyer, Murray, Noble, Parks, Polke, Proffit, Reid, Reynolds, Secrest and Tebbs—19.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady, Caldwell, Clark³ Clawson, Cone, Conner, Cotton, Cox, Cravens, Crume, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Jones, Livingston, Logan, Mastin, Maxwell, Morris, Nelson, Paddacks, Peyton, Robinson, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Thornton, Vawter, Wallace, Willet, Williams, Wilson, Wooden and Moore, speaker—56.

And so said motion was decided in the negative.

The question then being put on the motion made by Mr. Willet to amend said resolution,

It was decided in the negative; and

The question recurring on the adoption of said resolution, and
The ayes and noes being demanded by two members,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady, Caldwell, Casey, Clark, Clawson, Cone, Cox, Cravens, Crume, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Jones, Livingston, Logan, Mastin, Maxwell, Morris, Nelson, Paddacks, Peyton, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele Stevenson, Tebbs, Thornton, Vawter, Wallace, Willet, Williams, Wilson, Wooden and Moore Speaker—57.

And those who voted in the negative are,

Messrs. Alley, Bryant, Conner, Cotton, Crumpton, Gardner, Hite, Hoover, Lane, Lynd, Moyer, Murray, Noble, Parks, Polke, Proffit, Reid and Reynolds—18.

And so said resolution was adopted.

Mr. Davis moved the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law regulating Justices of the Peace as to permit confessions before them to be made for all sums under three dollars, without affidavit.

Mr. Morris moved to amend the same by striking out therefrom the word "three" and inserting in lieu thereof the word "twenty";

Which motion was decided in the negative.

Mr. Cravens moved to amend, by striking out the word "three" and inserting in its place the word "ten";

Which motion was decided in the negative.

Mr. Crumpton moved to amend the resolution by striking out therefrom the word "three" and inserting in lieu thereof the word "five";

Which motion passed in the affirmative.

The said resolution, as amended, was then agreed to,

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met in pursuant to adjournment.

On motion of Mr. Alley,

Resolved. That the Senate be informed that this House is now ready to go into the election of a United States Senator to fill the

vacancy occasioned by the death of the Hon. James Noble; and that their presence is requested instanter, and that seats are provided for them on the right of the Speaker's chair.

On motion of Mr. Brady,

Resolved. That this House will proceed (the Senate concurring therein) to the election of a Treasurer of State, Auditor of Public Accounts, and Agent of State for the town of Indianapolis on to-morrow at two o'clock P. M. and that the Senate be informed thereof and their attendance requested in the Representative Hall on the right of the Speaker's chair at that time.

The Senate came down and took their seats on the right of the Speaker's chair—the President of the Senate on the right of the Speaker, when both Houses of the General Assembly proceeded by joint ballot to the election of a Senator of the United States, to fill the vacancy occasioned by the death of the Hon. James Noble.

On the first ballot,

Samuel Judah received	36	votes	for	that	office,
Jesse L. Holman, “	23	votes	“	“	“
Thomas H. Blake, “	23	votes	“	“	“
James Rariden, “	16	votes	“	“	“
Jonathan Jennings, “	3	votes	“	“	“
John Tipton, “	1	vote	“	“	“
Scattering,	3	votes			

No person having received a majority of all the votes given, both Houses proceeded in like manner to a second balloting.

On the second ballot,

Samuel Judah received	39	votes	for	that	office,
Jesse L. Holman, “	25	do.	“	“	“
Thomas H. Blake, “	22	“	“	“	“
James Rariden, “	14	“	“	“	“
John Tipton, “	4	“	“	“	“
Blank,	1	“			

No person having received a majority of all the votes given, both Houses proceeded in like manner to a third balloting,

On the third ballot,

Samuel Judah received	36	votes	for	that	office,
Jesse L. Holman, “	32	“	“	“	“
Thomas H. Blake, “	19	“	“	“	“
James Rariden, “	8	“	“	“	“
John Tipton, “	10	“	“	“	“

No person having received a majority of all the votes given, both Houses proceeded in like manner to a fourth balloting,

On the fourth ballot,

Samuel Judah	received	34	votes	for	that	office,
Jesse L. Holman,	"	39	"	"	"	"
Thomas H. Blake,	"	16	"	"	"	"
James Rariden,	"	4	"	"	"	"
John Tipton,	"	12	"	"	"	"

No person having received a majority of all the votes given, both Houses proceeded in like manner to a fifth balloting,

On the fifth ballot,

Samuel Judah	received	31	votes	for	that	office,
Jesse L. Holman,	"	41	"	"	"	"
Thomas H. Blake,	"	12	"	"	"	"
James Rariden,	"	1	"	"	"	"
John Tipton,	"	19	"	"	"	"
Jonathan Jennings,	"	1	"	"	"	"

No person having received a majority of all the votes given, both Houses proceeded in like manner to a sixth balloting,

On the sixth ballot,

Samuel Judah	received	20	votes	for	that	office,
Jesse L. Holman,	"	42	"	"	"	"
Thomas H. Blake,	"	9	"	"	"	"
John Tipton,	"	33	"	"	"	"
Scattering,		1				

No election having yet been made, it was therefore ordered by the President of the Senate that said election be adjourned until 10 o'clock to-morrow morning.

The Senate then retired to their chamber,

And the House adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, DECEMBER 9, 1831.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from Samuel Merrill Treasurer of State, covering his annual report upon the

state of the finances, with accompanying documents, as follows, to wit:

(See Appendix A.)

Which were read and referred to the committee of ways and means.

The Speaker laid before the House the following communication from Morris Morris, Auditor of Public Accounts, enclosing his annual report, and accompanying documents; which were read and referred to the committee of ways and means.

(See appendix A.)

On motion of Mr. Thornton,

Ordered, That one hundred and fifty copies each of said Treasurer and Auditor's report be printed for the use of the members of this House.

Mr. Bryant presented a petition of sundry citizens of Parke county, and a petition of sundry citizens of Putnam county, praying a relocation of part of the state road leading from Indianapolis, by way of Danville and Rockville to Montezuma, with accompanying documents;

Which were read, when

Mr. Bryant moved to refer the same to the committee on roads:

Before the question was put thereon,

Mr. Stevenson moved to lay said petition on the table;

Which motion was decided in the negative, and

The question being put on the reference as proposed,

It passed in the affirmative.

On motion of Mr. Steele,

Messrs Bryant and Stevenson were added to the committee on roads, while the subject matter of those petitions is under consideration.

A message from the Senate, by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives, that they reciprocate their resolution of yesterday, fixing on this day at 2 o'clock, P. M. as the time for the election of Treasurer of State, Auditor of Public Accounts, and Agent for the town of Indianapolis—that Mr. Morgan is appointed teller on the part of the Senate.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives that they are now ready to repair to the Hall of the House, for the purpose of completing the election of a United States' Senator, to fill the vacancy of the Honorable James Noble deceased.

Mr. Angle presented a petition of sundry citizens of Montgomery and Fountain counties, for a change in the State road from Crawfordsville to Newtown, and two remonstrances of sundry citizens of the same counties against such change, which were severally read, and

On motion of Mr. Crumpton,
Ordered to lie on the table.

Mr. Williams presented a petition of the President, trustees and citizens of the town of New Albany praying a special act of incorporation for said town;

Which was read and referred to the committee on the judiciary.

On motion of Mr. Robinson,
Mr. Noble was added to the committee on roads.

On motion of Mr. Logan,

Resolved, That this House reciprocate the resolution of the Senate informing this House that they are now ready to go into the election of United States' Senator and that their attendance is requested in this Hall, instantler, and that seats will be provided for them on the right of the Speaker's chair,

Ordered, That the Clerk inform the Senate thereof.

The Senate came down into the Representative Hall and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when, in pursuance of the adjournment of yesterday, both Houses continued by joint ballot, the election of a Senator of the United States, to fill the vacancy occasioned by the death of the Honorable James Noble.

On counting the seventh ballot it appeared that Samuel Judah received

Jesse L. Holman,	- - -	36	"	"	"	"
Thomas H. Blake,	- - -	5	"	"	"	"
John Tipton,	- - -	55	"	"	"	"
Scattering,	- - -	6	"	"	"	"

John Tipton of Cass county having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected a Senator of the United States, to fill the vacancy occasioned by the death of the Hon. James Noble.

The Senate then retired to their chamber,
And the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Logan,

Resolved, That the clerk of this House inform the Senate that their attendance is requested in this Hall, instanter, to proceed to the election of a Treasurer of State, Auditor of public accounts, and Agent of State for the town of Indianapolis, and that is
appointed teller on the part of this House.

Whereupon,

The Speaker appointed Mr. Logan teller on the part of the House.

On motion of Mr. Stevenson,

Resolved, That the agent of the three per cent. fund be requested to lay before the House the commissioner's report on the road from Indianapolis, via Danville and Rockville, to Montezuma.

On motion of Mr. Stevenson,

Resolved, That the committee of elections be instructed to report a bill providing for the election of electors of President and Vice President.

On motion of Mr. Hoover,

Resolved, That whenever a member of this House introduces any business which may be referred to any standing committee, such member shall be one of such committee while the subject matter of such reference is under consideration.

On motion of Mr. Henley,

Resolved, That the door-keeper be authorised to call upon the Adjutant General for twenty copies of the militia law of the State of Indiana, for the use of the members of this House.

The Senate came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker. Both Houses then proceeded by joint ballot to elect a Treasurer of State.

On counting the ballots it appeared, that Samuel Merrill received for that office,	-	-	-	-	100
Scattering,	-	-	-	-	4

Samuel Merrill having received a majority of all the votes given was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Treasurer of State, to serve as such for the term of three years from and after the twenty-ninth day of December, instant.

Both Houses then proceeded by joint ballot to elect an Auditor of public accounts.

On counting the ballots it appeared that Morris Morris received
61 votes for that office,

Abraham W. Harrison	-	-	39	"	"	"	"
Scattering,	-	-	4	"	"	"	"

Morris Morris having received a majority of all the votes given was by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Auditor of public accounts, to serve as such for the term of three years, from and after the twenty-fourth day of January, 1832.

Both Houses then proceeded by joint ballot to the election of an Agent of State for the town of Indianapolis, and on counting the ballots it appeared that.

Ebenezer Sharpe	received	86	votes	for	that	office
Scattering,	-	-	17	"	"	"

Ebenezer Sharpe having received a majority of all the votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Agent of State for the town of Indianapolis, for the term of three years, from and after the 24th day of January, 1832.

The Senate then retired to their chamber,
And the House adjourned until to-morrow morning at 10 o'clock.

SATURDAY MORNING, DEC. 10, 1831.

The House met pursuant to adjournment.

The rules of the House having been dispensed with, Mr. Hoover moved the following resolution:

Resolved, That this House reconsider the vote relative to proceeding to the election of prosecutors and judges, and the House proceed, instantler, to the election of the same, the Senate agreeing thereto, and that the Senate be invited to attend in the hall of the House of Representatives for that purpose, and that seats will be provided for them on the right of the Speaker's chair;

Which was read and adopted:

Whereupon,

The Speaker appointed Mr. Hanna teller of said elections, on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Noble presented a petition of N. Crookshank and others, praying the incorporation of a company for the construction of a rail-road from Harrison to Indianapolis;

Which was read and referred to a select committee of Messrs. Noble, Flake, Cotton and Tebbs.

Mr. Clark presented a petition of the citizens of Township 20, N. of Range 10 W. in Warren county, for an act to authorize the sale of the school section in said township;

Which was read and referred to a select committee of Messrs. Clark, Conner and Gardner.

Mr. Cravens presented a petition of the merchants, traders and other citizens of Madison, praying an extension of the charter of the Madison Insurance Company, so as to make it an office of discount and deposit;

Which was read and ordered to lie on the table.

A motion was made by Mr. Thornton, that hereafter, in conducting elections by joint ballot, the tellers on the part of the House shall receive the ballots from members in their places, in the order in which they occupy their seats;

Which was decided in the negative.

A message from the Senate, by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate have reciprocated the resolution of the House of Representatives, on the subject of the elections of judges and prosecuting attorneys, and will meet the House of Representatives instanter.

The Speaker laid before the House a communication from B. I. Blythe, agent of the three per cent. fund, covering the report of the commissioner on the state road from Indianapolis to Montezuma, made in pursuance of a resolution of this House;

Which were read and referred to the committee on roads.

The Senate came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker. Both Houses then proceeded, by joint ballot, to the appointment of a President Judge of the fourth judicial circuit.

On counting the ballots it appeared that

Samuel Hall received	81	votes	for	that	office,
James R. E. Goodlet	14	"	"	"	"
Scattering	5	"	"	"	"

Samuel Hall having received a majority of the whole number of votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly appointed President Judge of the fourth judicial circuit, for the term of seven years from and after the 21st day of January 1832.

Both Houses then proceeded by joint ballot to the appointment of

a President Judge of the seventh judicial circuit, to fill the vacancy occasioned by the resignation of the Hon. John Law.

On counting the ballots it appeared that

Amory Kinney	received	77	votes	for	that	office,
General W. Johnston	"	24	"	"	"	"

Amory Kinney having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly appointed President Judge of the seventh judicial circuit, to fill the vacancy of the Hon. John Law, resigned.

Both Houses then proceeded by joint ballot to the election of a Prosecuting Attorney of the first judicial circuit.

On counting the first ballot it appeared that

Andrew Ingram	received	45	votes	for	that	office,
Edward A. Hannegan	"	49	"	"	"	"
John B. Chapman	"	5	"	"	"	"
Blank		2	"	"	"	"

No election having yet been made, both Houses proceeded to a second balloting.

On counting the second ballot it appeared that

Andrew Ingram	received	49	votes	for	that	office,
Edward A. Hannegan	"	52	"	"	"	"
Scattering		3	"	"	"	"

No election having yet been made, both Houses proceeded to a third balloting.

On counting the third ballot it appeared that

Andrew Ingram	received	53	votes	for	that	office,
Edward A. Hannegan	"	51	"	"	"	"

Andrew Ingram having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected Prosecuting Attorney of the first judicial circuit, for the term of two years from and after the 23d day of January, 1832.

The President of the Senate then adjourned the residue of said elections until 2 o'clock, P. M. and the Senate retired to their chamber,

And then the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Davis,

Resolved, That the Senate be invited to attend, instanter, in the Hall of the House of Representatives, to progress with the elections of judicial officers, and that the clerk inform them that seats are provided for them on the right of the Speaker's chair.

The Senate then came down from their chamber and took their seats as before, when both Houses pursuant to adjournment continued by joint ballot the election of judicial officers.

On counting the first ballot for Prosecuting Attorney of the third judicial circuit, it appeared that

John M. Johnson received	39	votes	for	that	office,
James F. D. Lanier	"	50	"	"	"
William A. Bullock	"	9	"	"	"
Scattering	"	3	"	"	"

No election having been made, both Houses proceeded to a second balloting.

On counting the second ballot it appeared that

John M. Johnson received	51	votes	for	that	office,
James F. D. Lanier	"	51	"	"	"
William A. Bullock	"	1	"	"	"

No election having yet been made,
Both Houses proceeded to a third balloting.

On the third ballot,

John M. Johnson received	58	votes	for	that	office,
James F. D. Lanier	"	45	"	"	"

John M. Johnson having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected Prosecuting Attorney of the third judicial circuit for the term of two years from and after the twenty-third day of January 1832.

Both Houses then proceeded by joint ballot to the election of a Prosecuting Attorney of the fifth judicial circuit.

On counting the ballots it appeared that

Harvey Gregg received	58	votes	for	that	office,
Hiram Brown	"	22	"	"	"
William O. Ross	"	20	"	"	"
Scattering	"	3	"	"	"

Harvey Gregg having received a majority of all the votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Prosecuting Attorney of the fifth judicial circuit, for the term of two years from and after the end of the present session of the General Assembly.

Both Houses then proceeded by joint ballot to the election of a Prosecuting Attorney of the sixth judicial circuit.

On the first ballot,

William J. Brown	received	51	votes	for	that	office,
Martin M. Ray	"	26	"	"	"	"
James Perry	"	21	"	"	"	"
Scattering	"	5	"	"	"	"

No person having been elected, both Houses proceeded to a second balloting.

On the second ballot,

William J. Brown	received	55	votes	for	that	office,
Martin M. Ray	"	31	"	"	"	"
James Perry	"	4	"	"	"	"

William J. Brown having received a majority of the whole number of votes given, was, by the President of the Senate, in presence of both Houses of the General Assembly, declared duly elected Prosecuting Attorney of the sixth judicial circuit for the term of two years from and after the 23d day of January 1832.

Both Houses then proceeded by joint ballot to the election of a Prosecuting Attorney of the seventh judicial circuit.

On the first ballot,

John H. Dowden	received	46	votes	for	that	office,
Elisha M. Huntington	"	46	"	"	"	"
Craven P. Hester	"	5	"	"	"	"
Scattering	"	6	"	"	"	"

No person having been elected, both Houses proceeded to a second balloting.

On the second ballot,

John H. Dowden	received	52	votes	for	that	office,
Elisha M. Huntington	"	47	"	"	"	"
Scattering	"	3	"	"	"	"

John H. Dowden having received a majority of the whole number of votes given, was, by the President of the Senate, in the presence of both Houses of the General Assembly, declared duly elected Pro-

secuting Attorney of the seventh judicial circuit, for the term of two years, from and after the 23d day of January, 1832.

The Senate then retired to their chamber,

And the House adjourned until Monday morning at 9 o'clock.

MONDAY MORNING, DECEMBER 12, 1831.

The House met pursuant to adjournment.

Mr. Cotton presented a petition of sundry citizens of Switzerland county, for the relief of Daniel Burcham;

Which was read and referred to the committee of ways and means.

Mr. Angle presented a petition of John M. Fisher and others praying that the corporation of the town of Crawfordsville may be dissolved;

Which was read and referred to a select committee of Messrs. Angle and Nelson.

Mr. Robinson presented a petition of Gideon Sands and others praying the abolition of all militia musters in time of peace except one company muster in each year;

Which was read and referred to the committee on military affairs.

Mr. Henderson presented a petition of sundry citizens of Wayne county praying the incorporation of a company to be styled "the Richmond, Eaton and Miami rail-road company";

Which was read and referred to a select committee of Messrs. Henderson, Crume and Williams.

Mr. Williams presented a petition of the officers of the 28th Regiment Indiana Militia praying the provision of heavier penalties for the neglect of militia duty;

Which was read and referred to the committee on military affairs.

Mr. Ruddick presented a petition of sundry citizens of Bartholomew county praying the appointment of a commissioner to relocate a part of the Mauks ferry State road;

Which was read and referred to the committee on roads.

Mr. Conner presented a petition of William S. Goe and others for a State road from Greenfield to the Michigan road by way of Noblesville;

Which was read and referred to a select committee of Messrs. Conner, Culley and Jones.

Mr. Slaughter presented a petition of Lawson Brent and William Anderson trustees of the school section in Town three and Range four for relief;

Which was read and referred to a select committee of Messrs. Slaughter, Griggs and Harrod.

Mr. Angle presented a petition of Samuel Rogers and others for a relocation of the State road from Crawfordsville to Newtown—and a remonstrance of Aaron Monroe and others against such relocation.

Mr. Crumpton presented a petition of sundry citizens of Fountain and Montgomery counties of the same purport as the one last named.

Which two petitions, and remonstrance were severally read and referred to the committee on roads

On motion of Mr. Angle,

The petition and remonstrance on the same subject laid on the table on the 9th inst. were taken up and

Ordered to be referred to the same committee.

Mr. Bryant presented a petition of sundry citizens of Vigo, Parke, and Montgomery counties praying a State road from Terre-Haute by way of Rockville to Crawfordsville, and an appropriation thereon;

Which was read and referred to the committee on roads.

Mr. Williams presented a petition of sundry citizens of New-Albany praying for the incorporation of an insurance company in said town;

Which having been read,

A motion was made by Mr. Willet to lay the same on the table;

Which was decided in the negative; and

On motion of Mr. Williams,

The same was referred to a select committee,

Ordered, That Messrs. Williams, Noble and Proffit be that committee.

Mr. Vawter presented a petition of Lucy Jane Price and Ann Maria Price, and their guardian James Stockton, praying an act to legalize the purchase of certain lands for said minors by their said guardian;

Which was read and referred to the committee on education.

Mr. Murray presented a petition of Ephraim Overman and others praying a road between the county seats of Grant and Elkhart;

Which was read and referred to the committee on roads.

Mr. Hanna presented a petition of Moses Rice and others, and a petition of Samuel Robinson and others, severally praying a road from Fort Wayne to Mongoquinon, thence to intersect a road leading from the State line to White Pigeon M. T.;

Which were severally read and referred to the committee on roads.

Mr. Lane from the committee on the affairs of the State Prison to whom was referred a resolution on that subject, reported a bill to revive an act entitled "an act for the relief of the subscribers to the

building of the State Prison" approved January 10, 1831—and for other purposes;

Which was read the first time and passed to a second reading.

On motion of Mr. Stanford,

Resolved, That the committee on education be instructed to enquire into the expediency of so amending the law providing for the sale of the school lands in this State and for other purposes, as to authorize the school commissioner to administer an oath (or affirmation) to any applicant to borrow money that the land which he purposes to mortgage is free and unencumbered in any way whatever, and of repealing so much of said law as requires any applicant to borrow money, to present to any commissioner an affidavit, that the land which he purposes to mortgage is free and encumbered in any way whatever.

The speaker laid before the House a communication from the agent of the three per cent fund, covering his annual report upon the State of said fund;

Which was read and referred to the committee on roads.

On motion of Mr. Hoover,

Ordered, That one hundred and fifty copies of said report be printed.

On motion of Mr. Wilson,

Resolved. That the judiciary committee be instructed to enquire into the expediency of forming a judicial circuit to be composed of the counties of Carroll, Cass, Grant, Allen Elkhart, St. Joseph and such other counties as may hereafter be formed in the northern part of the State.

On motion of Mr. Vawter,

The resolution heretofore moved by him on the subject of supplying the hall with two stoves, and laid on the table, was taken up,

The amending thereto depending having been withdrawn;

Mr. Vawter moved to amend the same by striking out the words "two first rate stoves with pipes," and inserting in lieu thereof the words "a stove, the property of the State, now in the town of Indianapolis";

Which motion passed in the affirmative; and

The said resolution, as amended, was agreed to.

Mr. Livingston moved that the House adjourn until to-morrow morning at 9 o'clock, and

The ayes and noes being demanded by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bonner, Brady, Bryant, Casey, Clawson,

Cotton, Cox, Crume, Culley, Davis, Durham, Ferguson, Finch, Flake, Gardner, Griggs, Hanna, Hargrove, Harrod, Heaton, Henley, Hite, Jones, Lane, Livingston, Logan, Mastin, Murray, Noble, Pad-dacks, Parks, Peyton, Polke, Reid, Robinson, Ruddick, Slaughter, Smiley, Stevenson, Tebbs, Thornton, Vawter, Wallace, Willet, Williams, Wilson, Wooden and Moore Speaker—50.

And those who voted in the negative are,

Messrs. Aker Baber, Clark, Conner, Cravens, Crumpton, Decker, Frame, Grover, Henderson, Hoover, Lynd, Moyer, Proffit, Rose, Secrest, Stanford, and Steele,—18.

And so the House adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, DECEMBER 13, 1831.

The House met pursuant to adjournment.

Mr. Reid presented a petition of Stephen Coffin and others for the incorporation of a company to construct a rail-road from Harrison to Indianapolis;

Which was read and referred to the same select committee to whom former petitions on that subject were referred.

On motion of Mr. Noble,

Mr. Reid was added to that committee.

Mr. Frame presented a petition of Alexander Glore and others citizens of Rush county praying a change in part of the State road from Vernon to Fort Wayne;

Which was read and referred to the committee on roads.

Mr. Clark presented a petition of sundry citizens of Warren county, relative to the establishment of the southern boundary line of their county;

Which was read and referred to a select committee of Messrs. Clark, Clawson, Crumpton, Reynolds and Gardner.

Mr. Maxwell presented a petition of James S. Smith and others, praying that a quarter section of land now lying in Jefferson county may be attached to Jennings county;

Which was read and referred to a select committee of Messrs. Maxwell, Henderson and Harrod.

Mr. Stevenson presented a remonstrance of John Hubbard and others against a change in the Indianapolis and Montezuma State road;

Which was read and referred to the committee on roads.

Mr. Finch presented a memorial of John Lung, William Sill and others praying authority to said Lung and Sill to erect a mill dam across Tippecanoe river;

Which was read and referred to the committee on the judiciary.

Mr. Parks presented a petition of James Chess verified by affidavit praying articles of impeachment against John J. Barnet, a justice of the peace, in and for the county of Lawrence, with accompanying documents;

Which were read and referred to the committee on the judiciary.

Mr. Moyer presented a petition of sundry citizens of Orange county praying a change in part of the State road from New-Albany to Vincennes lying in said county;

Which was read and referred to the committee on roads.

Mr. Stevenson presented a petition of John Osborne and others, praying a change in part of the State road leading from Indianapolis to Montezuma;

Which was read and referred to the committee on roads.

Mr. Wilson presented a petition of Samuel Williams and John E. Metcalf of Carroll county, praying relief;

Which was read and referred to the committee on canals and internal improvements.

Mr. Ruddick presented a petition of sundry inhabitants of town 9, range 7, in Bartholomew county, praying a special act to authorise the sale of the school section in said township, for the best price it will bring;

Which was read and referred to the committee on education.

Mr. Parks presented a petition of Winthrop Foote, praying authority to Colonel Robbins to sell the land of Prosper A. Foote, deceased, for the benefit of his heirs;

Which was read and referred to a select committee of Messrs. Park, Livingston, Moyer and Bryant.

Mr. Peyton presented a petition of sundry citizens of Clay county, for a road from Spencer via Bowling Green, to Terra Haute, and for an appropriation thereon;

Which was read and referred to the committee on roads.

Mr. Gardner presented a petition of John M. Coleman, praying relief, and an accompanying document;

Which was read and referred to a select committee of Messrs. Gardner, Bryant and Bonner.

Mr. Bell presented a petition of John Montgomery and other citi-

zens of Hancock county, praying a law to legalize the acts of John Ogg, an associate judge of said county;

Which was read and referred to the committee on the judiciary.

Mr. Thornton from the committee on the judiciary to which was referred a petition on that subject, reported a bill to incorporate the town of New Albany;

Which was read the first time and passed to a second reading.

On motion of Mr. Ferguson,

Resolved, That the committee on the judiciary be directed to enquire into the expediency of so amending the law as to require no religious test to render a witness competent to give evidence, with leave to report by bill or otherwise.

On motion of Mr. Morris,

Resolved, That the judiciary committee be instructed to enquire into the expediency of reporting a bill providing a compensation to associate judges for granting writs of Habeas Corpus.

On motion of Mr. Davis,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of reporting a bill changing the time of holding courts in Sullivan county in the seventh judicial circuit.

Mr. Vawter moved the following resolution:

Resolved, That this House disavow any agency or knowledge of the door of this House having been closed or locked on Sunday evening at the time of an appointment made by the Rev. Mr. Wylie for preaching—and further that this House disapprove of such closing of the door;

Which was read, and

On motion of Mr. Morris,

It was ordered that the same do lie on the table.

On motion of Mr. Hoover,

Resolved, That the committee of ways and means be requested to enquire into the expediency of providing by law for licensing taverns and groceries and defining their qualifications.

On motion of Mr. Griggs,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of repealing so much of the law passed at the last session of the General Assembly entitled "An act regulating the fees and salaries of the several officers and persons therein named," approved February 7th, 1831, as requires fee bills to be allowed and taxed by a master in chancery, a judge of the court, or a justice of the peace before the same shall be issued for collection.

On motion of Mr. Stevenson,

Resolved, That the committee of Ways and Means be instructed to enquire into the expediency of so amending the revenue law, that in all transfers of real estate, it shall be the duty of the recorders to enter the name of the purchaser on the assessment roll, in place of the grantor, at the time he records the deed of the purchaser.

Mr. Henley moved the following resolution:

Resolved, That the military committee be instructed to enquire into the propriety of repealing so much of the present militia law, as relates to the fines of non-commissioned officers, musicians and privates, and to establish the following in lieu thereof, to wit:

By a non-commissioned company officer or musician, for failing to attend any regimental, battalion, drill or company muster, during the whole time such regimental, battalion, drill or company may be on parade, not less than one nor more than four dollars—By any private for failing to attend any regimental, battalion or company muster, during the whole time such regimental, battalion or company shall be on parade, one dollar. And

On the question to adopt the same, it was decided in the negative.

On motion of Mr. Logan,

Resolved, That the committee of elections be instructed to enquire into the propriety of repealing so much of the 20th section of the act regulating the mode of doing county business in the several counties in this State, as relates to the elections of inspector of elections, fence viewers, overseers of the poor and supervisors of highways, and report by bill or otherwise.

Mr. Brady moved the following resolution:

Resolved. That the committee on the judiciary be instructed to enquire into the expediency of so amending the law regulating the duties of justices of the peace, as to make it necessary for the plaintiffs in civil cases, to commence suit in the township wherein the defendant resides, and to make the constable respectively the responsible officer in the collection of debts, with leave to report by bill or otherwise.

Mr. Crume moved to amend the same by striking out so much as relates to the liability of constables:

Which motion passed in the affirmative:

The said resolution as amended was then agreed to.

Mr. Ferguson moved the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of giving jurisdiction to justices of the peace in cases wherein executors or administrators are plaintiffs.

Mr. Decker moved to amend the same by adding at the end thereof the words "or defendants."

Which was accepted by the mover of said resolution as a modification of the same—and

The said resolution so modified was then agreed to.

Mr. Robinson moved the following preamble and resolution:

Whereas there is much complaint and dissatisfaction expressed by many of the good citizens of this state, as it regards the present mode of taxation:

Resolved, therefore, that the committee of ways and means be instructed to take the same under consideration, and if they find just cause of complaint, report to this House a bill equalizing as near as can be under present circumstances the burthen of the same.

Mr. Hoover moved to lay said preamble and resolution on the table:

Which motion was decided in the negative, and

On the question to adopt the same,

It passed in the affirmative.

On motion of Mr. Conner,

Resolved, That the committee on roads be instructed to enquire into the expediency of authorising by law the commissioners, of the State roads, and viewers of county roads, to employ surveyors, chainmen and blazers, when necessary, and directing the commissioners of the proper county, to allow for such services on state roads, where there is not a sufficient sum appropriated out of the three per cent. fund, and also on county roads, such compensation out of the county treasury as may be just and reasonable.

On motion of Mr. Culley,

Resolved, That the committee on the judiciary be requested to enquire into the expediency of reporting a bill amendatory of the probate law, fixing the length of time the courts shall be holden in each county.

On motion of Mr. Angle,

Resolved, That the committee on military affairs be instructed to enquire into the expediency of so altering the law regulating the same, as to exempt all persons from military duty, in time of peace, who have done duty as a commissioned officer for five years successively.

Mr. Crumpton moved the following resolution,

Resolved, That the committee on military affairs be instructed to enquire into the expediency of allowing courts of assessment, in the absence of the provost marshal, to appoint one pro tem.

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Davis moved the following resolution,

Resolved, That the committee on military affairs be instructed to enquire into the expediency of revising the 34th section of the law, organizing and regulating the militia of this State, so as to permit the organization of volunteer corps, to any extent, without any reference to the diminution of the companies from which they are taken.

Which was read, and

On the question to adopt the same,

It was decided in the negative.

Mr. Maxwell moved the following resolution,

Resolved, That the committee on military affairs be instructed to enquire into the expediency of so amending the militia law, as to do away the battalion and company musters, and that they report by bill or otherwise.

Mr. Crume moved to amend the same by striking out the words "and company,"

Which motion was decided in the negative.

Mr. Clark moved to amend said resolution so as to direct the committee to enquire into the expediency of abolishing all musters except one regimental muster in each year—and

Before the question was put thereon—it was

On motion of Mr. Davis,

Ordered, That said resolution and proposed amendment be laid on the table.

Mr. Hite moved the following resolution,

Resolved, That the committee on military affairs be instructed to enquire into the expediency of so amending the act to organize and regulate the militia of the State of Indiana, as to make it the duty of commandants of companies to give to each private under his command a notice in writing of all the musters to be held in that year, at least ten days previous to the second Saturday in April, that being the day set apart by law for company musters; and that they have leave to report by bill or otherwise:

Which was read, and

On motion of Mr. Logan,

Ordered to lie on the table.

On motion of Mr. Brady,

Resolved, That the commissioner on the Michigan road be required to report the situation of the work done on said road; and what amount has been expended out of the Michigan road fund.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Murray,
Mr. Clark was added to the committee on canals and internal improvements.

On motion of Mr. Brady,
Resolved, That the commissioner of the State House at Indianapolis be required to report what progress he has made in procuring materials for the building of said House, and likewise what plans have been presented for the fashion of the same, &c.

Mr. Stanford moved the following resolution,
Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law of this State, regulating descents, distribution and dower, that whenever hereafter the one third part of any decedents personal estate shall not amount to one hundred dollars; the widow of such decedent may select at the valuation, as contained in the inventory, so much of the goods and chattels of her deceased husband, as will amount to one hundred dollars in value, including the one third part of such estate, which she shall not account for in any way whatever; and provided such widow should be childless, she shall only be entitled to the one third part of her deceased husband's estate after all just debts are paid.

And on the question to adopt the same,
It was decided in the negative.

Mr. Cravens, after having obtained leave, presented a bill to amend and restrict the charter granted to the Madison Insurance Company;

Which was read the first time and passed to a second reading.

Mr. Decker, after having obtained leave, presented a bill respecting the Knox county poor house;

Which was read the first time and passed to a second reading.

Mr. Vawter after having obtained leave, presented a bill for the improvement of the Mauk's ferry State road;

Which was read the first and second times (the rules of the House having first been dispensed with) and committed to a committee of the whole House for to-morrow.

The House then proceeded to consider the orders of the day.

The bill to revive an act entitled "an act for the relief of the subscribers to the building of the State prison," approved January 10, 1831, and for other purposes, was read the second time and committed to a committee of the whole House for to-morrow.

The House resolved itself into a committee of the whole on the message of his excellency the late governor, and after some time spent thereon the speaker resumed the chair; and Mr. Thornton reported that the committee had according to order, had the same under consideration, and come to sundry resolutions, viz:

1. *Resolved*, That so much of said message as relates to internal improvements be referred to the committee on canals and internal improvements.
2. *Resolved*, That so much of said message, as relates to the improvement of the Cumberland road, be referred to a select committee with instructions to report to this House, a memorial to Congress on that subject.
3. *Resolved*, That so much of said message as relates to the Michigan road be referred to the committee on roads.
4. *Resolved*, That so much of said message as relates to education; be referred to the committee on education.
5. *Resolved*, That so much of said message as relates to military affairs be referred to the committee on that subject.
6. *Resolved*, That so much of said message as relates to the bank of the United States be referred to the committee of ways and means.
7. *Resolved*, That so much of said message as relates to a railroad from Louisville to Indianapolis, be referred to the committee on roads.
8. *Resolved*, That so much of said message as relates to forming congressional districts, be referred to the committee of elections.
9. *Resolved*, That so much of said message, as relates to the erection of asylums in this State be referred to the committee of ways and means.
10. *Resolved*, That so much of said message as relates to the tariff and protecting system be referred to the committee on the judiciary.
11. *Resolved*, That so much of said message as relates to the Indians be referred to a select committee, with instructions to report a memorial to Congress asking for a speedy extinguishment of Indian title to land in this State.
12. *Resolved*, That so much of said message as relates to the sale of lots at the seat of government, and the building of a State House be referred to the committee on the affairs of the town of Indianapolis.

13. *Resolved*, That so much of said message as relates to monopoly, working men, the artist, manufacturer, farmer, learned professors, secret societies, which take their stand above the laws, political unauthorized bodies attempting to control, awe or lead public opinion, be referred to a select committee;

Which, said resolutions, were read and concurred in, by the House, generally.

Ordered, That Messrs. Hoover, Wilson and Steele be the committee in pursuance of the 2nd. resolution: that Messrs. Hanna, Murray and Cravens be appointed a select committee, according to the 11th resolution; and that Messrs. Ferguson, Logan and Slaughter be appointed a select committee agreeably to the 13th resolution.

And then the House adjourned until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, DECEMBER 14, 1831.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from Noah Noble, contract commissioner of the Michigan road, relative to the condition of said road, with accompanying documents;

Which were read and referred to the committee on roads.

(See Appendix C.)

The Speaker laid before the House the following communication from William Polke, commissioner on the Michigan road, touching the selection and sale of the road lands, and accompanying documents;

Which were read and referred to the committee on roads.

(See Appendix D.)

Mr. Davis moved that five hundred copies of each of said reports be printed:

Mr. Thornton proposed one hundred and fifty each:

The question being put upon printing five hundred copies,

It was decided in the negative; and

On the question to print one hundred and fifty copies,

It passed in the affirmative.

Mr. Reid presented a petition of sundry citizens of Franklin county, praying an amendment in the road laws;

Which was read and referred to the committee on roads.

Mr. Hanna presented a petition of sundry citizens of Allen county, praying a road from Fort Wayne to South Bend;

Which was read and referred to the committee on roads.

On motion of Mr. Nelson,

Mr. Hanna was added to the committee on roads, while the subject of said petition is under consideration.

Mr. Willet presented two petitions of citizens of Rush county, praying a change in a part of the Vernon, Fort Wayne and Shelbyville State roads;

Which were read and referred to the committee on roads.

On motion of Mr. Willet,

Mr. Heaton was added to the committee on canals and internal improvements.

Mr. Thornton presented a petition of Thomas J. Walker, verified by affidavit, praying articles of impeachment against Young L. Hughes, a justice of the peace in Hendricks county;

Which was read and referred to the committee on the judiciary.

Mr. Williams presented a petition of the citizens of Floyd county, praying a change in the New-Albany and Vincennes road where the same crosses the knobs, with an accompanying plat;

Which was read and referred to the committee on roads.

Mr. Logan presented a petition of Woodbridge Parker and others, citizens of Washington county, praying an amendment of the act of 1830, respecting the Great Muscatituck hill, on the Mauks' ferry road;

Which was read and referred to a select committee of Messrs. Logan, Moyer and Durham.

Mr. Vawter from the committee of ways and means, to whom was referred a petition in that behalf, reported a bill for the benefit of Daniel Burcham of Switzerland county;

Which was read the first time and passed to a second reading.

Mr. Slaughter from the committee on education to whom was referred the petition of James Stockton, Lucy Jane Price and Ann Maria Price, reported that they have had the same under consideration and are of opinion that it is inexpedient to legislate upon the subject of said petition, and asked to be discharged from the further consideration thereof.

Ordered, That the committee be discharged accordingly.

Mr. Slaughter from the same committee, to which was referred a resolution of the House on that subject, reported a bill to repeal part of the twenty-third section of an act incorporating congressional townships and providing for public schools therein, approved February 10, 1831:

Which was read the first time and passed to a second reading.

Mr. Casey from the committee on military affairs to whom was referred the petition of the officers of the twenty-eight regiment Indiana militia, for an increase of militia fines, reported that it is inexpedient to legislate on that subject,

Which report was read and concurred in.

Mr. Casey from the same committee, to whom was referred the petition of John Jennings and others praying the abolition of battalion regimental and drill musters, reported that it is inexpedient to legislate upon that subject at this time;

Which report was read and concurred in.

Mr. Ferguson from the select committee to whom was referred so much of the late Governor's message as is contained in the thirteenth resolution adopted by the House on that subject on yesterday, reported that they have had the same under consideration, but not being informed of any matter or subject referred to in said resolution which requires legislative interference, ask to be discharged from the further consideration thereof.

Ordered, That the committee be discharged accordingly.

Mr. Stanford from the select committee to whom was referred a resolution of this House, instructing them to inquire whether any amendment be necessary to the law providing for the printing and distributing the Laws and Journals of this State; reported that they have discharged that duty, and think it unnecessary to legislate on that subject at this time:

Which report was read and concurred in.

Mr. Lane from the select committee to whom was referred a petition of citizens of Vanderburgh county, upon the subject of a road from Evansville to Anthony's ferry, reported a bill to repeal an act entitled "an act to repeal an act therein named," approved January 29, 1831 and for other purposes;

Which was read the first time and passed to a second reading.

On motion of Mr. Livingston,

Resolved, That the committee on canals and internal improvements be instructed to enquire into the expediency of appropriating a portion of the three per cent fund for the improvement of the navigation of the two White rivers, and that they have leave to report by bill or otherwise.

Mr. Morris moved the following resolution,

Resolved, That the door keeper be directed to procure immediately a number of chairs sufficient to supply each member of this House with one.

Mr. Hoover moved to amend the same by adding these words "and a suitable number of desks;"

Which motion passed in the affirmative.

Mr. Davis moved further to amend the same by adding the words "and also furnish all the desks with sufficient locks and keys";

Which motion was carried in the affirmative,

The said resolution as amended was then agreed to.

Mr. Hoover moved the following resolution,

Resolved, That this Hall for and during the present session of the general assembly is exclusively the property of the State, and that the door-keeper be instructed to procure a good and sufficient lock to the door of this Hall, and keep the same locked when the House is not in session, or when no committees are occupying it, until otherwise ordered by the House or authorized by the Speaker.

Mr. Ferguson moved to lay said resolution on the table;

Which motion was decided in the negative; and

On the question to adopt said resolution,

It passed in the affirmative.

Mr. Brady moved the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the act regulating fees, as that witnesses and jurymen attending before a justice of the peace, be allowed each the sum of fifty cents per day, with leave to report by bill or otherwise, and

The question being put on its adoption,

It was decided in the negative.

Mr. Durham moved the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law regulating public ferries, as to make it the duty of all public ferrymen in this State, to cross over all militia officers and privates going to and returning from musters free of ferriage, who may have necessarily to cross any water course on which there may be established ferries;

Mr. Noble moved to amend the same so as only to compel such ferrymen to furnish a sufficient craft to cross over each person subject to military duty, in going to and returning from muster; and

Before the question was put thereon, it was,

On motion of Mr. Bell,

Ordered, That said resolution and proposed amendment be laid on the table.

Mr. Mastin moved the following resolution:

Resolved, That the committee on roads be instructed to enquire into the expediency of so amending that part of the road law, which makes it the duty of the citizens of this State to work on roads two days in each year for their personal privilege, as to require four days work for such privilege:

Mr. Wooden moved to amend the same by striking out the word "four" from the latter clause thereof, and inserting in its place the word "one";

Which motion was decided in the negative.

The question then being put on the adoption of said resolution;

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Alley, Casey, Durham, Hoover, Mastin, Parks Polke, Vawter, Wilson and Moore Speaker—0.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady, Bryant, Clawson, Cone, Conner, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Noble, Paddacks, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Slaughter, Stanford, Steele, Stevenson, Tebb, Thornton, Wallace, Willet, Williams and Wooden—60.

And so said resolution was not agreed to.

Mr. Brady moved the following resolution,

Resolved, That the committee of elections be instructed to enquire into the expediency of giving the election of the collectors of State and county revenue in the several counties in this State, and the election of county treasurers, directly to the people, with leave to report by bill or otherwise.

Which was read, and

On motion of Mr. Casey,

Ordered, That the same do lie on the table.

Mr. Robinson moved the following resolution,

Resolved, That the committee of ways and means be instructed to enquire into the propriety of so amending the revenue law as to give collectors till the first Monday in May annually to pay the county revenue.

A motion was made by Mr. Henley to lay said resolution on the table,

Which was decided in the negative.

The question being put "shall said resolution be adopted?"
It passed in the affirmative.

And then the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Conner,

Resolved, That the committee on roads be instructed to enquire into the expediency of changing the application of an appropriation by an act of the last session, entitled "an act to appropriate part of the three per cent. fund, and for other purposes," approved February 10, 1831, from the Winchester state road to the Fort Wayne state road.

Mr. Steele moved the following resolution,

Resolved, That the judiciary committee be instructed to enquire into the expediency of repealing so much of the law of last year as provides for certain persons giving bond and security for their moral conduct when emigrating to this State.

Mr. Ferguson moved to lay said resolution on the table.

Which motion was decided in the negative.

A motion was then made by Mr. Cravens to postpone indefinitely the further consideration thereof, and

Before the question was put thereon,

Mr. Thornton moved to re-consider the vote on laying said resolution on the table,

Which motion was decided in the negative,

The question then recurring on the motion of Mr. Cravens to postpone indefinitely,

And the ayes and noes being required by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Clawson, Conner, Cox, Cravens, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Hite, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Noble, Paddacks, Parks, Peyton, Polke, Reid, Reynolds, Robinson, Rose, Secrest, Slaughter, Tebbbs, Thornton, Williams, Wilson, Wooden and Moore Speaker—53.

And those who voted in the negative are,

Messrs. Aker, Bonner, Cotton, Crume, Crumpton, Henderson, Henley, Hoover, Jones, Nelson, Ruddick, Stanford, Steele, Stevenson, Vawter, Wallace and Willet—17.

And so the further consideration of said resolution was indefinitely postponed.

Mr. Davis moved the following resolution,

Resolved, That the judiciary committee be instructed to enquire into the expediency of reporting a bill prohibiting the circulation of all bank bills of less denomination than five dollars.

And on the question to adopt the same, it was decided in the negative.

Mr. Angle moved the following resolution,

Resolved, That the committee of ways and means be instructed to enquire into the expediency of appointing some suitable person to prepare and publish the decisions of the supreme court of this State, at each term thereof, and that one copy of the same be furnished, at the expense of the State, to be deposited in the clerk's office, in each county in this State, to be at all times subject to the inspection and perusal of all persons, with leave to report by bill or otherwise.

Which was read, and

On motion of Mr. Thornton,

Ordered, That the same do lie on the table.

Mr. Vawter moved the following resolution,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law, relative to crime and punishment, as to make it criminal in persons killing hogs running at large in the woods, having no other claim thereto except their being unmarked; and

On the question to adopt the same,

It was decided in the negative.

Mr. Hoover after having obtained leave, presented a bill supplemental to an act passed January 24th, 1831, for the location of a state road from Richmond to Fort Wayne;

Which was read the first time and passed to a second reading.

Mr. Logan after having obtained leave, presented a bill to legalize the election of county commissioners in the several counties in this State, held on the first Monday in August 1831;

Which was read the first time and passed to a second reading.

Mr. Decker after having obtained leave, presented a bill supplemental to an act entitled "an act to incorporate the Wabash insurance company,"

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The bill to incorporate the town of New Albany;—and

The bill to amend and restrict the charter granted to the Madison insurance company,

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The bill respecting the Knox county poor-house, was read the second time and ordered to be engrossed and read a third time to-morrow.

The House resolved itself into a committee of the whole on the bill to revive an act entitled "An act for the relief of the subscribers to the building of the State Prison," approved January 10, 1831- and for other purposes;—and after some time spent therein, the Speaker resumed the chair, and Mr. Gardner reported the same with sundry amendments, which were read and concurred in by the House generally;

The said bill was then ordered to be engrossed and read a third time to-morrow.

The House resolved itself into a committee of the whole on the bill to improve the Mauk's ferry State road; and after some time spent therein, the Speaker resumed the chair, and Mr. Cotton reported the same with two amendments, which were read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow,

And the House adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, DEC. 15, 1831.

The House met pursuant to adjournment.

Mr. Moyer presented a remonstrance from sundry citizens of Orange county against a change in the New Albany and Vincennes state road;

Which was read and referred to the committee on roads.

Mr. Vawter presented a petition of J. B. New and others, praying a change in the state road from Madison to Vernon;

Which was read and referred to the committee on roads.

Mr. Ferguson presented a petition of John Miller, owner of a ferry at Utica, praying relief;

Which was read, and

On motion of Mr. Gardner,

Ordered, That it be laid on the table;

Mr. Finch presented a petition of Jacob Hanes and others, praying the continuation of the State road leading through Warren county to Lagrange, from the latter place to Logansport on the west side of the Wabash;

Which was read and referred to the committee on roads.

Mr. Crumpton presented a petition of citizens of the counties of Clinton, Fountain and Warren praying a State road from Jefferson by certain points therein named to intersect the road leading from Williamsport in a direction to Chicago, at or near Parish's Grove;

Which was read and referred to the committee on roads.

Mr. Harrod presented a petition of Harvey Scribner and others, and a petition of Moses Rogers and others, severally praying a change in the road from New Albany to Lexington;

Which were read and referred to the committee on roads.

Mr. Conner presented a memorial in relation to an appropriation of land by the General Government, to aid in constructing a good road from Indianapolis to Fort Wayne;

Which was read and referred to a select committee of Messrs. Conner, Hoover and Murray.

Mr. Thornton from the judiciary committee, to which was referred a resolution of the House on that subject, reported a bill to amend the act entitled "an act dividing the state into judicial circuits and fixing the times of holding courts therein and for other purposes;" approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Thornton from the judiciary committee to which was referred a resolution of the House, instructing said committee to enquire into the expediency of so amending "an act regulating the interest of money in the State of Indiana," approved February 1st, 1831, as to repeal so much thereof as authorises any higher rate of interest than six per centum per annum, reported that they have according to order had that subject under their consideration, and are of opinion that it is inexpedient to legislate upon that subject.

Which was read, when

Mr. Thornton moved to lay said report on the table, and

The ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Alley, Bryant, Casey, Cotton, Griggs, Hite, Livingston, Morris, Noble, Parks, Ruddick, Stevenson, Tebb, Thornton, Wood, and Moore, speaker—16.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady, Clark, Clawson, Cone, Conner, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Ferguson, Finch, Flake, Frame, Gardner, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hoover, Jones, Lane, Logan, Lynd, Mastin, Maxwell, Moyer, Murray, Nelson, Pad-dacks, Peyton, Polke, Proffit, Reid, Robinson, Rose, Secrest, Slaughter, Smiley, Stanford, Steele, Vawter, Wallace, Willet and Wil-liams—55.

And so said motion was decided in the negative.

A motion was then made by Mr. Thornton that said report be committed to a committee of the whole House, and made the order of the day for to-morrow,

Which was decided in the negative.

Mr. Cravens moved to refer said report to a select committee:

Mr. Crume moved to amend said motion so as to instruct said com-mittee to bring in a bill repealing so much of the law of last session on that subject as is contemplated in said resolution,

Which proposition was accepted by Mr. Cravens as a modification of his motion, and

The question being put on said motion so modified,

It passed in the affirmative.

Ordered, That Messrs. Cravens, Robinson and Crume be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from James Blake commissioner, appointed by an act of the last session, entitled "An act to provide for the commencement of a State House," cover-ing the following report of his doings as such commissioner,

Which were read, and

On motion of Mr. Thornton,

Ordered to lie on the table.

To the Speaker of the House of Representatives, of the State of Indiana:

SIR:

As commis sioner under an act of the last Legislature, entitled 'an act to provide for the commencement of a State House,' I would res-pectfully report to the House of Representatives, the following detail of my proceedings, in conformity with the law.

After due advertisement in the newspapers of Indianapolis (a copy

whereof is hereunto annexed) I received on the 13th day of August last the following proposals to furnish rough and cut stone, for the contemplated building, to wit:

	<i>c. stone</i>		<i>rough pr.</i>	
	<i>pr. p.</i>	<i>p. cut s.</i>	<i>cut,</i>	<i>rough,</i>
John Johnson & } Robert Patterson }	\$11 81½	\$5 31½	\$1771 50	1220 10—2991 60
Robert Hanna	7 87½	3 12½	1181 25	656 25—1837 50
Julian Blackburn	7 75	3 00	1162 55	630 00—1792 55
William Reagan	7 50	2 87½	1125 00	603 75—1738 75
John Cloe & Co.	7 31½	2 75	1096 87½	577 50—1674 37

Of which, on acceptance of these proposals, the persons proposing No. 3. 4. 5. failed to contract, whereupon I accepted and closed a contract on the proposals No. 2. with Robert Hanna, and at the prices above stated, taking bonds in \$5000 with Thomas O'Neil and James McFarland approved securities.

With regard to the remaining duties devolving under said law, I proceeded on the 13th day of May, to offer a premium of one hundred and fifty dollars for the best plan of a State House, by advertisement in various newspapers, a copy whereof is annexed.

And in conformity with such offer, I have received twenty one plans, an abstract whereof follows, to wit.

		<i>No. Doc.</i>	<i>Names.</i>
A.	Plan and Envelope, Richmond, Ind.	1	S. Pierce,
B.	" Philadelphia—book.	1	John C. Trantwine,
C.	" Nashville.	3	Rowland.
D.	" "	2	"
E.	" "	2	"
F.	" New York,	4	Town and Davies,
G.	" Philadelphia.	2	Thomas U. Watter,
H.	" Washington, D. C.	4	Robert Mills,
I.	" " "	1	"
J.	" Lawrenceburgh, Ia.	5	Wm. Brown,
K.	" Indianapolis, (sealed)	1	Edgar and Gates,
L.	" Hendricks co.	1	Stephen Mahan,
M.	" Cincinnati,	1	Wm. Brown,
N.	" Frankfort, Ky,	4	John J. Vest,
O.	" Brownstown,	1	Samuel West,
P.	" " "	1	"
Q.	" New Albany,	3	M. Hooker,
R.	" Cincinnati,	4	James Kelly,
S.	" " book	1	Solomon Jenkins,
T.	" Concord, N. H. Doc.	6	Abel Cady,
U.	" Philadelphia,	1	Wm. Strickland.

The plans, except part not opened, are in detached views and pro-

Des, with various explanatory documents which I have marked under their respective letter.

Requests are annexed to some, that the plan, if not approved, be carefully preserved and returned.

Having no duplicates, I am not enabled herewith to transmit the plans offered to each House; and therefore have them subject to such order as may please the legislature to make concerning them.

Very respectfully submitted,

JAMES BLAKE, *Commissioner.*

The Rules of the House having been dispensed with,

Mr. Thornton moved the following resolution, which was read and adopted unanimously:

Resolved, That the Rules of the House of Representatives be so amended, that a standing committee of ten members be appointed as a committee on public buildings—and that the plans reported by the commissioner appointed to superintend the commencement of a State House, be received by such committee, in conjunction with a similar committee to be appointed by the Senate, and carefully examined:—and that a selection of the most appropriate plan presented, be made by such joint committee, and reported for the approval of the legislature; and that the Senate be informed hereof, and a similar resolution on their part be requested.

Mr. Slaughter from the select committee to which was referred a petition on that subject, reported a bill for the benefit of Lawson Brent and William Anderson,

Which was read the first time and passed to a second reading.

Mr. Angle from the select committee to which was referred a petition on that subject reported a bill to dissolve the incorporation of the town of Crawfordsville and for other purposes,

Which was read the first time and passed to a second reading.

Mr. Maxwell made the following report:

The select committee to whom was referred the petition of James Smyth and others, praying for an alteration in the county line between Jennings and Jefferson, have had the same under their consideration, and have instructed me to report, that from the recent change made in said county line in favor of said petitioners, they deem it inexpedient at this time to legislate further on that subject, and beg leave to be discharged from the further consideration of the same.

Ordered, That said committee be discharged accordingly.

Mr. Heaton moved the following resolution,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law as to authorise any county surveyor of this State, to take acknowledgements of deeds, of con-

veyance of real estate, and be allowed the same fees as justices of the peace are allowed, and report by bill or otherwise; and

On the question to adopt the same,

It was decided in the negative.

Mr. Smiley moved the following resolution,

Resolved, That the committee on roads be instructed to enquire into the expediency of so amending the road law, as to compel all able bodied male negroes and mulattoes between twenty-one and forty years of age, to work on public roads and high-ways, and report by bill or otherwise.

Mr. Bryant moved to amend said resolution by striking out the word "twenty-one" and inserting in lieu thereof the word "sixteen,"

Which motion was decided in the negative, and

The question being put on the adoption of said resolution,

It was carried in the affirmative.

A message from the Senate, by Mr. Morris their Assistant Secretary:

Mr. Speaker,

I am directed by the Senate to inform the House of Representatives that they have passed a memorial of the General Assembly of the State of Indiana, to the Congress of the United States, for the relief of persons whose lands have become forfeited, and a joint resolution of the General Assembly relative to the pension office, in both of which the concurrence of the House is requested.

The engrossed memorial and joint resolution named in said message, were severally read the first time, and passed to a second reading.

A message from the Senate, by Mr. Morris their assistant Secretary:

Mr. Speaker,

I am instructed by the Senate to inform this House that the Senate has adopted the following resolution, viz:

Resolved, That a standing committee of seven members be appointed as a committee on public buildings to act in conjunction with a similar committee to be appointed on the part of the House of Representatives:—and that the plans forwarded to the commissioner appointed to superintend the commencement of a State House, be received by such committee and carefully examined, and that a selection of the most approved plan presented with the reasons for the same be made and reported for the approval of the legislature, and that the said joint committee agree upon the manner in which all the plans, as well as the one that may be selected, shall be presented to both Houses—That the House of Representatives be informed of the adoption of this resolution, and the adoption of a similar one on their part requested:

Mr. Crume moved the following resolution:

Resolved, That the committee of ways and means be requested to enquire into the propriety of so amending the revenue law as to make electors' deeds *conclusive* evidence, as to the regularity of the sale of lands so deeded, and

On the question to adopt the same,

It was decided in the negative.

Mr. Thornton after having obtained leave, made the following report:

Mr. Speaker,

The judiciary committee to which was referred the memorial of Thomas J. Walker, of Hendricks county, charging Young L. Hughes, a justice of the peace for the county aforesaid, with official misconduct and mal-feasance in his said office of justice of the peace, have according to order had that subject under their consideration, and are of opinion from the evidence adduced before them, that the said Young L. Hughes has been guilty of a palpable abuse of his power and authority in his said office, as justice of the peace, in the case of the said Thomas J. Walker; and that an enquiry ought to be instituted by this House, into the official conduct of the said Young L. Hughes, as such justice of the peace as aforesaid, and in furtherance of that object they recommend the adoption of the following resolution, viz:

Resolved, That the judiciary committee of this House be authorised to send for papers, records and witnesses to give evidence before them relative to the charges preferred against the said Young L. Hughes, by the said Thomas J. Walker; and that for this purpose they shall have the benefit of process issued by the authority of this House.

Which said resolution was read and agreed to by the House,

And then the House adjourned until to-morrow morning at ten o'clock.

FRIDAY MORNING, DECEMBER 16, 1831.

The House met pursuant to adjournment.

Mr. Murray presented a petition of sundry citizens of the county of Grant, praying that the revenue assessed, and collected from said county by the counties of Delaware, Cass and Allen, for the year 1831, may be refunded to said county of Grant;

Which was read and referred to a select committee of Messrs. Murray, Wilson and Grover.

Mr. Cox presented a petition of George A. Phelps late collector of Morgan county praying relief;

Which was read and referred to the committee on claims.

Mr. Angle presented a remonstrance of Charles Miller and others against a change in the State road from Crawfordsville to Newtown; Which was read and referred to the committee on roads.

Mr. Vawter presented a petition of William C. Bramwell late commissioner on the road from Indianapolis to Madison, praying relief;

Which was read and referred to the committee on roads.

Mr. Thornton from the judiciary committee to which was referred a resolution of the House relative to the length of the session of the probate courts, reported a bill amendatory to the act entitled "an act to organize probate courts and defining the powers and duties of executors administrators and guardians"; approved February 10, 1831;

Which was twice read (the rules of the House having first been dispensed with) and committed to a committee of the whole House for to-morrow.

Mr. Wilson from the committee on roads to which was referred a petition on that subject, reported a bill for relocating part of the Mauks ferry State road;

Which was read the first time and passed to a second reading.

Mr. Conner from the select committee to which was referred a petition of sundry citizens of Hamilton county on that subject reported a bill to locate a State road from Greenfield, in Hancock county by way of Noblesville, the county seat of Hamilton county, and thence to intersect the Michigan road at or near where the Lafayette and Newcastle State road crosses the same;

Which was read the first time and passed to a second reading.

On motion of Mr. Henderson,

Resolved, That the committee on education be instructed to enquire into the expediency of so amending the law establishing the Indiana college as to elect the trustees once in three years by joint ballot of both Houses of the General Assembly.

Mr. Stevenson moved the following resolution:

Resolved, That the committee on education be instructed to enquire into the expediency of so amending the law incorporating congressional townships and providing for public schools, that it shall be the duty of the school commissioner to loan out all monies coming into his hands from sales of school lands as principal on interest, to the highest bidder upon proper security being given;

Mr. Stanford moved to lay said resolution on the table,

Which motion was decided in the negative, and

The question being put,

Shall said resolution be adopted?

It passed in the affirmative.

Mr. Morris moved the following resolution:

Resolved, That the committee on education, be requested to enquire into the expediency of so amending the fourth section of the act incorporating congressional townships and providing for public schools therein, as to require the returns of elections for trustees to be made to the school commissioner whose duty it shall be to deliver to the persons elected, a certificate of such election, a copy of which together with the returns he shall file in his office;

Which was read, when

Mr. Stanford moved to lay the same on the table,

Which motion was decided in the negative, and

On the question to adopt said resolution,

It passed in the affirmative.

Mr. Wallace moved the following resolution:

Resolved, That the committee on roads, be instructed to enquire into the expediency of so amending the law that gives supervisors of roads discretionary power to call out the hands as often as they may think proper, as to limit them to a certain number of days in each year they may serve as such:

Mr. Hite moved to amend the same so as to direct the committee further to enquire into the expediency of repealing all laws laying a tax upon lands for road purposes;

Which motion was decided in the negative, and

On the question to adopt said resolution,

It was decided in the negative.

On motion of Mr. Brady,

The resolution moved by Mr. Conner and laid on the table on the 8th instant, relative to the appointment of a select committee to enquire into the expediency of giving contractors on the Michigan road further time to complete their contracts, was taken up;

Mr. Thornton moved to amend said resolution so as that said committee shall consist of five members;

Which motion was carried in the affirmative, and

The said resolution, as amended, was then agreed to.

Ordered, That Messrs. Conner, Brady, Davis, Murray and Finch be a committee in pursuance thereof.

On motion of Mr. Thornton,

Resolved, That this House reciprocate the resolution of the Senate on the subject of amending the joint rules of the two Houses so as to provide for the appointment of a standing committee on public buildings by each of the two Houses, to act together as a joint committee on that subject.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Cox,

Resolved, That a select committee of seven members be appointed

to enquire into the expediency of passing a general law, authorizing the erection of mill dams across all the navigable streams in this State except the Ohio and Wabash rivers and main White river below the junction of the east and west forks, with suitable provisions for locks and slopes on said dams under proper restrictions, rules and regulations to be under the superintendence of the board doing county business in each county, and that they have leave to report by bill or otherwise.

On motion of Mr. Bell,

Resolved, That the judiciary committee be requested to enquire into the propriety of so amending the law as to provide for filling the vacancy of county recorder when it happens by death, resignation, removal or otherwise.

Mr. Hargrove moved the following resolution:

Resolved, That the judiciary committee be and they are hereby instructed to enquire into the expediency of reporting a bill to this House providing for all costs accruing on criminal prosecutions for offences, the punishment for which is confinement to hard labor in the State prison, to be paid out of the State treasury where the offender is convicted;

And on the question to adopt the same,
It was decided in the negative.

Mr. Polke moved the following resolution:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of repealing so much of the revenue law as requires collectors to advertise the sale of lands in public newspapers, and that they report by bill or otherwise;

Mr. Hoover moved to amend the same by striking out all after the word "expediency" and inserting in lieu thereof the following: "of so amending the revenue law that instead of two years there shall be three years allowed for the redemption of forfeited lands; and that in all sales of forfeited lands the proper officers selling the same shall set out in the notice the proper names of the persons, whose lands are forfeited, in some newspaper published nearest thereto if known;"

Mr. Thornton moved to amend said amendment by striking out so much as relates to the time for the redemption of lands sold;

Which motion was carried in the affirmative, and

While the question on said proposed amendment as amended, was depending,

It was

On motion of Mr. Thornton,

Ordered, That said resolution and proposed amendment be laid on the table.

On motion of Mr. Hanna,

Resolved, That the committee on roads be instructed to enquire in-

to the expediency of providing by law for the improvement of all that part of the Michigan road that has not yet been put under contract.

Mr. Baber moved the following resolution,

Resolved, That the committee on the judiciary enquire whether any, and if any, what legislation is necessary to cause the twentieth section of the third article, and the thirteenth section of the eleventh article of the constitution of Indiana to be respected—and also whether offices under the general government and the government of Indiana can consistently and constitutionally be held by the same persons at the same time; and especially whether post masters can be justices of the peace, or associate judges, county treasurers, with direction to report thereon;

Mr. Cotton moved to amend the same by inserting after the words "justices of the peace" these words "or members of the General Assembly:"

Which motion passed in the affirmative.

The said resolution, as amended, was then agreed to by the House.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Hoover,

Resolved, That the committee on the affairs of the town of Indianapolis be instructed to enquire into the expediency of providing by law for a sale of an additional number of lots in the town of Indianapolis,

Mr. Noble moved the following resolution:

Resolved, That the committee of Ways and Means be instructed to enquire into the expediency of amending the revenue law so that after the taxes upon land are _____ years in arrear the said land shall become the property of the State to be applied to the use of schools;

Which was read, and

On motion of Mr. Thornton,

Ordered to lie on the table.

On motion of Mr. Davis,

Resolved, That the committee of ways and means be instructed to enquire into the expediency of repealing so much of the thirty-ninth section of the revenue law as requires the clerks of the several counties, to return to the Auditor of public accounts, a detailed statement of delinquencies of the several counties.

Mr. Ferguson after having obtained leave presented a bill to amend an act entitled "an act regulating the taking up of animals going astray, and water craft and other articles of value adrift";

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The bill to repeal a part of the twenty-third section of an act incorporating congressional townships and providing for public schools therein;

Was read the second time, and

On motion of Mr. Slaughter,

Was committed to the committee on education.

The bill for the benefit of Daniel Burcham of Switzerland county;

The bill to repeal an act entitled "an act to repeal an act therein named" approved January 29, 1831 and for other purposes;

The bill supplement to an act passed January 24, 1831 for the location of a State road from Richmond to Fort Wayne;

The bill supplemental to an act entitled "an act to incorporate the Wabash insurance company," and

The bill to dissolve the corporation of the town of Crawfordsville and for other purposes;

Were severally read the second time and ordered to be engrossed and read a third time on to-morrow.

The bill to legalize the election of county commissioners in the several counties in this State, held on the first Monday in August 1831, was read the second time;

Mr. Thornton moved to amend the same so as to provide that those elections shall have the same validity as though the laws had been published at the time of holding them, and no more;

Which motion passed in the affirmative;

The said bill was then ordered to be engrossed and read a third time to-morrow.

The bill to amend the act entitled "An act dividing the State into judicial circuits, and fixing the times of holding courts therein and for other purposes," was read the second time and committed to a committee of the whole House for Friday next.

The bill for the benefit of Lawson Brent and William Anderson, was read the second time and committed to a committee of the whole House for to-morrow.

The engrossed joint memorial, from the Senate, of the General Assembly of the State of Indiana, to the Congress of the United States, for the relief of persons whose lands have been forfeited, was read the second and third times (the rules of the House having first been dispensed with,) and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed joint resolution of the General Assembly from the Senate, relative to the pension office, was read the second time, when Mr. Slaughter moved that the further consideration thereof be indefinitely postponed.

Before the question was put thereon,

Mr. Stevenson moved to lay said joint resolution on the table,

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Alley Baber, Clark, Cotton, Crume, Crumpton, Culley, Davis, Decker, Finch, Gardner, Hargrove, Heaton, Mastin, Noble, Robinson, Stevenson and Willet—18.

And those who voted in the negative are,

Messrs. Aker, Angle, Bell, Bonner, Brady, Bryant, Casey, Clawson, Conner, Cox, Cravens, Durham, Ferguson, Flake, Frame, Griggs, Hanna, Harrod, Henderson, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Rose, Ruddick, Secrest, Slaughter, Smiley, Ssanford, Steele, Tebbs, Thornton, Vawter, Wallace, Williams, Wilson, Wooden and Moore Speaker—52.

And so said motion was decided in the negative; and

The question recurring on the motion to postpone said joint resolution indefinitely, and

The ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Bryant, Casey, Conner, Cotton, Cox, Cravens, Culley, Decker, Durham, Ferguson, Flake, Griggs, Hargrove, Harrod, Hite, Lane, Livingston, Logan, Lynd, Maxwell, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Robinson, Slaughter, Thornton, Vawter, Wallace, Willet, Williams, Wooden and Moore, Speaker—37.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bell, Brady, Clark, Clawson, Crume, Crumpton, Davis, Finch, Frame, Gardner, Hanna, Heaton, Henderson, Hoover, Jones, Mastin, Morris, Nelson, Noble, Peyton, Reid, Rose, Ruddick, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, and Wilson—33.

And so the further consideration of said joint resolution was indefinitely postponed.

And then the House adjourned until to-morrow morning at ten o'clock.

SATURDAY MORNING, DECEMBER 17, 1831.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Morris their Assistant Secretary on yesterday:

Mr. Speaker,

I am instructed by the Senate to inform the House of Representatives that Messrs. Orr, Farrington, Sering, Blair, Dumont, Worth and Pollock are appointed a committee on public buildings, on the part of the Senate.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

I am directed by the Senate to inform the House of Representatives that they have passed engrossed bills of the Senate, entitled as follows: "An act supplemental to an act entitled 'an act to establish a state road from Richmond in Wayne county, to Fort Wayne,' and 'an act for the formation of the county of La Porte, and for other purposes' in which the concurrence of the House of Representatives is requested.

The engrossed bills named in said message were severally read the first time and passed to a second reading.

Mr. Parks presented a petition of Winthrop Foote and other citizens of Lawrence county, praying a road from Bedford via Hammer's mill and Beck's mill, to intersect the Louisville and Vincennes road;

Which was read and referred to a select committee of Messrs. Parks, Proffit, Casey, Lynd and Thornton.

Mr. Crume made the following report:

The committee of elections to whom was referred a resolution of this House asking an enquiry into the propriety of repealing so much of the 20th section of the act regulating the mode of doing county business in the several counties in this State, as relates to the election of inspectors of elections, fence viewers, overseers of the poor, and supervisors of high-ways, have had that subject under consideration, and a majority of said committee have directed me to report, that in their opinion the election of public officers should be given directly to the people in all cases when they can conveniently make such election; therefore they deem it inexpedient to legislate on that subject at this time.

Mr. Hoover moved to lay said report on the table,

Which motion was decided in the negative.

Mr. Noble moved that said report be referred to a select committee with instructions to report a bill repealing so much of the 20th section of the act regulating the mode of doing county business in the several counties in this State, as relates to the elections of inspectors of elections, fence viewers, overseers of the poor and supervisors of high-ways, and

Before the vote was taken on said motion,

The previous question was demanded by three members.

And was therefore put, to wit: "Shall the main question be now put?"

Which said previous question passed in the affirmative:—and

The main question was then put, to wit;

"Will the House concur in the report of said committee; and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Baber, Bell, Brady, Clark, Clawson, Cox, Crume, Culley, Decker, Ferguson, Flake, Grover, Hanna, Hargrove, Heaton, Henderson, Henley, Hite, Jones, Lane, Morris, Murray, Nelson, Proffit, Robinson, Rose, Secrest, Stanford, Steele, Stevenson, Tebbs, Vawter, Willet, Wilson and Wooden—36.

And those who voted in the negative are,

Messrs. Alley, Angle, Bonner, Bryant, Casey, Cone, Conner, Cotton, Cravens, Crumpton, Davis, Durham, Finch, Gardner, Griggs, Harrod, Hoover, Livingston, Logan, Lynd, Mastin, Maxwell, Moyer, Noble, Parks, Peyton, Polke, Reid, Reynolds, Ruddick, Slaughter, Smiley, Thornton, Wallace, Williams and Moore, Speaker—36.

And so the House refused to concur in said report.

Mr. Noble then renewed his aforesaid motion to refer said report to a select committee, with the instructions above named:

Before the question was put thereon,

Mr. Henley moved that the further consideration of said report be indefinitely postponed.

Which motion was carried in the affirmative.

The Speaker laid before the House the following report of David Burr, Jordan Vigo and Samuel Lewis, the Board of commissioners on the Wabash and Erie canal:

Which was read and referred to the committee on canals and internal improvements.

(See Appendix F.)

Ordered, That five hundred copies of said report be printed for the use of the members of this House.

And then the House adjourned until Monday morning at nine o'clock.

MONDAY MORNING, DECEMBER 19, 1831.

The House met pursuant to adjournment.

The Speaker appointed Messrs. Hanna, Conner, Stevenson, Morris, Thornton, Murray and Davis a committee on public buildings, on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hanna presented a petition of Moses Rice and others, praying the formation of a new county, north-east of the county of Elkhart, to be called the county of Lagrange:

Which was read and referred to a select committee of Messrs. Hanna, Murray and Grover.

Mr. Thornton from the committee on the judiciary to which were referred a resolution of the House, directing an enquiry into the expediency of requiring an official bond from justices of the peace;—and a resolution directing an enquiry into the expediency of dispensing with an affidavit on judgments confessed before justices of the peace, for sums under five dollars; reported a bill to amend the act entitled “An act to regulate the jurisdiction and duties of justices of the peace,” approved February 10, 1831.

Which was read the first time and passed to a second reading.

Mr. Slaughter from the committee on education to which was referred a petition on that subject, reported a bill to authorize the inhabitants of congressional township 9, in range 7; to sell the school lands in said township;

Which was read the first time and passed to a second reading.

Mr. Casey from the committee on military affairs to which was referred a resolution of the House directing an enquiry into the expediency of exempting from militia duty, in time of peace, all those who have done duty as commissioned officers for five years successively; reported that it was inexpedient to legislate on that subject at this time:

Which report was read and concurred in.

Mr. Wilson from the committee on roads to which were referred a resolution of the House, directing an enquiry into the expediency of authorising commissioners on State roads, and viewers on county roads to employ surveyors and chainmen—and a resolution of the House, directing an enquiry into the expediency of requiring negroes, &c. to work on roads; reported that it was inexpedient to legislate upon those several subjects;

Which report was read and concurred in.

Mr. Wilson from the same committee to which was referred a resolution of the House, relative to changing the appropriation of money

from the Winchester to the Fort Wayne State road, reported a bill to amend the 24th section of an act to appropriate part of the three per cent fund, and for other purposes, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee to which was referred a petition on that subject, reported a bill to authorise the location of a State road from Fort Wayne, in Allen county, to Moo-go-que-non prairie, in the county of —

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee to which was referred a petition on that subject reported a bill to establish a State road from Fort Wayne, in Allen county, to South Bend, in St. Joseph county, by way of Goccon, in Elkhart county;

Which was read the first time and passed to a second reading.

The Speaker laid before the House a report from the agent of the three per cent. fund, made in obedience to an act approved January 22d, 1830, and transmitting a statement of commissioners' reports;

Which was read and referred to the committee on roads.

And is as follows: (See Appendix E.)

Ordered, That one hundred and fifty copies thereof be printed for the use of the members of this House.

Mr. Conner from the select committee to which was referred a resolution of the House on that subject reported a bill giving relief to the contractors of the Michigan road,

Which was read the first time and passed to a second reading.

Mr. Logan from the select committee to which was referred the petition of Woodbridge Parker and others praying the repeal of a part of the seventh section of the act making provision for expending the Mauks ferry road fund and for other purposes, approved January 28, 1830; reported a bill to repeal part of said act;

Which was read the first time and passed to a second reading.

Mr. Clark from the select committee to which was referred a petition on that subject, reported a bill to authorise the citizens of congressional township No. 20 N. of range No. 10 W. in the county of Warren, to dispose of the school section therein;

Which was read the first time and passed to a second reading.

Mr. Murray from the select committee to which was referred a petition on that subject, reported a bill to refund the revenue of Grant county;

Which was read the first time and passed to a second reading.

Mr. Williams from the select committee to which was referred the

petition of R. Downey and others, reported a bill to incorporate the New Albany insurance company;

Which was read the first time and passed to a second reading.

Mr. Parks from the select committee to which was referred the petition of Winthrop Foote, reported a bill authorising Moses Robbins, of Parke county Indiana, to sell the real estate of Prosper Foote late of said county, deceased;

Which was read the first time and passed to a second reading.

Mr. Conner from the select committee to which the subject was referred, reported a joint memorial to Congress for an appropriation of public lands, to make a rail-road, or other artificial road from Indianapolis to Fort Wayne;

Which was read the first time and passed to a second reading.

Mr. Cravens from the select committee to which was referred a report of the committee on the judiciary, made in pursuance of a resolution of the House, directing an enquiry into the expediency of repealing so much of the law of last session as allows a higher rate of interest than six per cent. per annum, reported a bill to amend an act entitled "An act regulating the interest of money in the State of Indiana," approved February 1, 1831;

Which was read the first time and passed to a second reading.

Mr. Stanford moved the following resolution,

Resolved, by the House of Representatives, that no order or resolution of this House heretofore passed or made, shall be so construed as to prevent spectators from occupying the lobby of this House, during the time the House may be in session.

Mr. Noble moved to amend the same by adding thereto these words, "when the gallery is full."

Before the question was put thereon,

A motion was made by Mr. Cotton, that said resolution and proposed amendment do lie on the table, and

The question being put,

It passed in the affirmative.

On motion of Mr. Morris,

Resolved, That the agent of State for the town of Indianapolis be requested to lay before this House a list of all the in-lots, out-lots, and tracts of land which remain unsold.

On motion of Mr. Proffit,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law as to allow justices of the peace to issue executions, and other process on judgments on Sunday when the judgment debtor is about to abscond.

Mr. Robinson moved the following resolution:

Resolved, That a select committee to consist of five members be appointed to enquire into the expediency of providing by law for the further sales of the Michigan road lands, for the purpose of paying present contracts, and for the purpose of making further improvements on said road, or at least so much of said road as has been newly opened, so that the same may be travelled.

A motion was made by Mr. Thornton to amend the same so as to refer the enquiry to the committee on roads, instead of a select committee, and

While the question thereon was depending, it was

On motion of Mr. Logan,

Ordered, That said resolution and proposed amendment do lie on the table.

Mr. Hoover moved the following resolution:

Resolved, That the committee on roads be instructed to enquire into the expediency of graduating the labors to be performed on public roads and high-ways in proportion to the number of acres owned by persons liable to work on roads;

And the question being put on its adoption,

It was decided in the negative.

On motion of Ruddick,

The resolution moved by Mr. Durham and laid on the table on the 14th instant, directing the judiciary committee to enquire into the expediency of so amending the law as to compel public ferrymen to cross over all officers and privates going to and returning from muster, free of ferriage, was taken up;

The question recurred on the amendment proposed thereto by Mr. Noble, and which was depending when said resolution was laid on the table, and which is as follows, to wit: "that such ferryman be compelled only to furnish a sufficient craft to cross over such officers and soldiers."

Before the said question was put,

A motion was made by Mr. Hite, that the further consideration of said resolution and proposed amendment be indefinitely postponed,

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Davis, Decker, Griggs, Hargrove, Harrod, Henderson, Hite, Hoover, Jones, Lane, Lynd, Morris, Moyer, Murray, Nelson, Paddacks, Polke, Proffit, Reid, Rose, Slaughter, Steele, Stevenson, Tebbs, Vawter, Wallace, Williams, Wilson and Moore Speaker—42.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Cox, Crume, Durham, Ferguson, Finch, Flake, Gardner, Hanna, Heaton, Henley, Livingston, Logan, Maxwell, Noble, Parks, Peyton, Reynolds, Robinson, Ruddick, Se-crest, Smiley, Stanford, Thornton, and Wooden—27.

And so the further consideration of said resolution and proposed amendment was indefinitely postponed.

Mr. Thornton, moved the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the act entitled "an act subjecting real and personal estate to execution," approved, February 4th, 1831. as to subject equitable interests, and choses in action of judgement debtors to execution, by bill in equity;

Mr. Ferguson moved to amend the same by striking out the words "choses an action";

Which motion passed in the affirmative.

The said resolution, as amended, was then agreed to by the House.

And then the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Morris,

Resolved, That the judiciary committee be directed to enquire whether any mode of punishment could be adopted for violations of the criminal law, other than imprisonment in the county jail; which would be less expensive to the people and equally conducive to the public peace.

Mr. Cravens moved the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the law relative to crime and punishment, as to make all voluntary prosecutors liable for costs, where the defendants shall be acquitted, unless the court shall be of opinion, that there were reasonable grounds for instituting the prosecution.

Mr. Thornton, moved to amend the same, by inserting after the word "prosecutors," these words—"in petit misdemeanors;" which amendment was accepted by Mr. Cravens as a modification of said resolution.

The said resolution was then agreed to by the House.

On motion of Mr. Williams,

Resolved, That the judiciary committee be instructed to enquire into the expediency of regulating, by law, the amount of tax on ferries;

so as to remove the collision in the revenue and ferry law on that subject.

On motion of Mr. Aker,

Resolved, That the committee of ways and means be instructed to enquire into the expediency of altering the revenue law, so as to exempt all persons from paying a poll tax who are not allowed to vote in this state.

Mr. Thornton moved the following resolution:

Resolved, That the Clerk of this House be directed to procure two of Scott and Lodwick's large and improved maps of the state of Indiana, to be suspended in the Hall of the House of Representatives, for the use of the members thereof;

Which was read, and

On motion of Mr. Gardner,

Ordered, That it be laid on the table.

On motion of Mr. Maxwell,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the "act incorporating congressional townships and providing for public schools therein," as to provide by law a reasonable compensation for the services of the board of trustees and clerk therein named, and that they report thereon.

On motion of Mr. Thornton,

Mr. Culley was added to the committee on the judiciary.

And the House adjourned until to-morrow morning at nine o'clock.

TUESDAY MORNING, DEC. 20, 1831.

The House met pursuant to adjournment.

The rules of the House having been dispensed with,
Mr. Davis moved the following preamble and resolutions;

Which were read and unanimously adopted, to wit:

Whereas it has been announced to this House that Theodore C. Cone, Esq., a member of this House from the county of Vigo, departed this life on last evening;

Resolved, That the members of this House, as a mark of the high estimate they place upon the worth and distinguished talent of the deceased, will wear crape on the left arm for thirty days.

Resolved, That the Members of this House unite in a sincere expression of their condolence with the widow and family of the deceased, for

the severe bereavement they have experienced in the loss of an affectionate husband and father, on this occasion.

Resolved, That this House will immediately adjourn until to-morrow morning at 9 o'clock, for the purpose of attending the funeral of the deceased this evening at 2 o'clock, and that Messrs. Gardner, Thornton, and Crumpton be appointed a committee to make the necessary arrangements.

Resolved, That the Editors of the 'Journal' and 'Democrat' be requested to publish the foregoing preamble and resolutions in their papers respectively, and that the Speaker of this House transmit to the widow and family of the deceased in like manner, a copy of the same.

And then the House adjourned until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, DECEMBER 21, 1831.

The House met pursuant to adjournment.

Mr. Conner presented a petition of Robert P. Hoddy and others, praying a change in the Indianapolis and Fort Wayne State road near Strawtown;

Which was read and referred to a select committee of Messrs. Conner, Jones, and Moyer.

Mr. Brady presented two petitions of citizens of Marion county, severally praying a change in that part of the Brookville and Indianapolis State road that adjoins the latter place;

Which was read and referred to the committee on roads.

The House proceeded to consider the following message received from the Senate on Monday last by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed a bill entitled "An act to amend an act entitled 'An act to encourage the killing of Wolves,' approved February, 10th 1831," also, a joint resolution on the subject of the Saline Reservations, in which I am directed to ask the concurrence of the House of Representatives.

The bill and joint resolution named in said message were severally read the first time, and passed to a second reading.

The Speaker laid before the House the following report and ac-

companying documents from the Agent of State for the Town of Indianapolis.

Which were read and referred to the committee on the affairs on the Town of Indianapolis.

Agent's Office, INDIANAPOLIS, Dec. 20th, 1831.

The Agent in obedience to the directions of "an Act, authorizing the Agent of State for the Town of Indianapolis, to lay off the lands belonging to the State into lots, and offer them for sale," had said lands surveyed and divided into lots, the corners and boundaries thereof marked and numbered, making *one hundred and sixty two* additional out lots, as exhibited on the accompanying map, and containing in the aggregate, *one thousand five hundred and seventy nine acres*, all of which have been disposed of except *ten* lots on which there were leases, (containing *eighty three acres*), and

Lot 147, reserved for public use, for the sum of \$20678 75

Five improved lots for - - - - - 290 00

\$20968 75

Whole expense of surveying, marking, mapping, &c. see Voucher's marked A. and B.

In obedience to a resolution of the House of Representatives past on yesterday, the following list of unsold lots is herewith submitted to wit:

In Lots.—	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	& 12.	<i>in square</i>	35.
"	1.	2.	3.	4.	5.	6.	—	—	9.	10.	11.	& 12.	" 37.
"	1.	2.	3.	4.	5.	6.	7.	8.	—	10.	11.	& 12.	" 38.
"	1.	—	3.	4.	5.	6.	7.	8.	9.	10.	11.	& 12.	" 48.
"	—	—	—	4.	5.	6.	—	—	—	—	—	—	" 49.
"	1.	2.	3.	—	5.	6.	7.	8.	9.	10.	11.	& 12.	" 52.
"	1.	2.	—	4.	5.	6.	—	8.	9.	10.	—	—	" 54.
"	—	—	3.	—	5.	6.	7.	8.	9.	—	—	—	" 68.

The following are blocks of lots which yet remain unsold, to wit: 21. 23. 24. 26. 27. 28. 29. 30. 31. 32. 33. 34. 39. and 40. each containing 12 lots—also, out lots 2. 4. 11. 26. 37. 144. 145. 147. 151. 152. 153. 154. 155. 159. and 160. making 239 in-lots, and 15 out-lots yet at the disposal of the Legislature, besides the reserved lots.

All of which is respectfully submitted,

E. SHARPE, *Agent.*

(A.)

E. SHARPE, *Agent, &c.*

To B. F. MORRIS. *Dr.*

To surveying the donation lands around the Town of Indianapolis into 162 out lots, marking the corners & boundaries, and calculating their contents; making one set

of maps for the use of appraisers, and making two large maps exhibiting a complete view and description of the town of Indianapolis, and its environs as now established by law,

\$300 00

(B.)

STATE OF INDIANA.

To E. SHARPE.

To amount paid B. F. Morris for surveying (see ac't A)	\$300 00
" Amos Harris 12½ days carrying chain,	6 25
" Willis Brown, 12 days as chopper,	7 50
" Thomas Day, 9½ days as do.	5 81½
" De Lucian Bennet, 3 days do.	1 87½
" John Peck, 23 days as do.	15 87½
" Herrod Newland, 16½ do. carrying chain,	8 25
" Simeon Lodwick, 23½ do. do.	11 93½
" Joseph Glisson, 6 days axe man,	3 75
" Daniel Harris, 1½ do. do.	0 75
" Samuel Woolley 2 do	1 12½
" Isaac Fisher, 15½ do.	9 68½
" ditto for making posts	9 00
" John Foudry, hauling do.	1 00
" Harry Perry, do. do.	0 50
" Samuel Brown, do. do.	0 50
" Alexander Morrison, for advertising sale,	3 75
" Douglass & McGuire, do. do.	3 75
	<hr/>
	\$391 31½

Mr. Cox from the committee of elections, to which were referred the certificates of the several members of this House reported, that the following members have been duly elected and are entitled to their seats, to wit:

From the county of Knox—John Decker and David S. Bonner.

Wayne—Richard Henderson, Henry Hoover, William Steele and John Jones.

Dearborn—William Flake, Warren Tebbs and David V. Culley.

Harrison—James B. Slaughter and Joseph Paddacks.

Clark—Benjamin Ferguson and Thomas Jefferson Henley.

Jefferson—Edward R. Maxwell and James H. Cravens.

Union—John B. Rose and Jeremiah Grover.

Vermillion—John Gardner and Eli Reynolds.

Fountain—Thomas Clawson and William Crumpton.

Tippecanoe—William Heaton and Aaron Finch.

Franklin—Benjamin S. Noble and John Reid.

Washington—Ezekiel D. Logan and Henry P. Thornton.

Vigo—Theodore C. Cone.

Sullivan—John W. Davis.

Montgomery and Clinton—John Nelson and Jacob Angle.
Scott—John Harrod.
Floyd—Harbin H. Moore and William Williams.
Rush—William Frame and Marinus Willet
Fayette—Manlove Caldwell and Marks Crume.
Crawford—David Griggs.
Jennings—John Vawter.
Monroe—William Hite.
Owen—Robert M. Wooden.
Switzerland—William Cotton.
Ripley—Joseph Robinson.
Putnam—Alexander C. Stevenson and James Secrest.
Daviess and Martin—William Wallace.
Pike and Dubois—George H. Proffit.
Perry and Spencer—Richard Polke.
Jackson—Jesse B. Durham.
Warren—Samuel B. Clark.
Orange—John B. Moyer and James Lynd.
Bartholomew—Jesse Ruddick.
Decatur—Dodridge Alley.
Randolph—Andrew Aker.
Gibson—John Hargrove.
Green—George Baber.
Vanderburgh and Warrick—Joseph Lane.
Lawrence—Pleasant Parks and Hugh L. Livingston.
Posey—William Casey.
Carroll and Cass—Walter Wilson.
Henry—Thomas R. Stanford.
Park—William P. Bryant.
Marion—Henry Brady.
Hamilton and Boon and all the country north to the great Miami reservation—William Conner.
Madison and Hancock—Thomas Bell.
Allen, Elkhart and St. Joseph—Samuel Hanna.
Clay—Jared Peyton.
Johnson—John Smiley.
Morgan—John W. Cox.
Hendricks—Lewis Mastin.
Shelby—Sylvan B. Morris.
Delaware and all the territory attached thereto—Elias Murray.

Mr. Cotton from the Committee of ways and means to which was referred a resolution of the house directing an enquiry into the expediency of amending the law regulating taverns, reported that in the opinion of the committee the law on that subject is amply sufficient; Which report was read and concurred in,

Mr. Thornton from the judiciary committee to which was referred

a petition on that subject reported a bill to authorize John Lung and William Sill to apply for a writ of *ad quod damnum* to erect a mill dam on Tippecanoe river;

Which was read the first time and passed to a second reading.

Mr. Thornton from the same committee, to which were referred two petitions, and a resolution of the House on that subject, reported a bill to prevent the sale of ardent spirits to the Indians;

Which was read the first time and passed to a second reading.

Mr. Slaughter from the committee on Education to which was referred a resolution of the House directing an enquiry into the expediency of amending the second section of the act incorporating congressional townships and providing for public schools therein, and the bill to repeal a part of the twenty-third section of said act, reported said bill with one amendment;

Which was read and concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Wilson from the committee on roads to which were referred sundry petitions and remonstrances of citizens of Orange county, relative to a change in part of the Vincennes and New-Albany State road, reported that it was inexpedient to legislate on that subject at this time;

Which report was read and concurred in.

Mr. Wilson from the same committee to which a petition on that subject was referred, reported a bill to establish a State road from the county seat of Grant to the county seat of Elkhart;

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee, to which was referred a petition of citizens of Vigo, Parke and Montgomery counties on that subject, reported a bill to locate a State road from Terre Haute by way of Rockville to Crawfordsville;

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee, to which was referred a petition of citizens of Parke county, reported a bill to change part of the State road leading from Indianapolis via Danville and Rockville to Montezuma;

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee, to which was referred a petition of citizens of Allen county reported a bill to authorize the location of a State road commencing at the Ohio State line at a point where the Bellfontaine State road enters the State line of Indiana to the north boundary of the State in a direction to White Pigeon in the territory of Michigan;

Which was read the first time and passed to a second reading.

Mr. Crume from the committee on roads to which was referred the petition of John Tate and others, reported a bill to locate a State road from Connersville in Fayette county to Raysville in Henry county;

Which was read the first time and passed to a second reading.

Mr. Robinson from the committee on roads to which was referred a petition of citizens of Ripley county, reported a bill to locate and open a State road from Napoleon in Ripley county to Brookville in Franklin county;

Which was read the first time and passed to a second reading.

Mr. Harrod from the committee on roads to which were referred petitions of citizens of Scott and Floyd counties reported a bill to locate a State road from New-Albany to Lexington;

Which was read and passed to a second reading.

Mr. Hanna made the following report:

The committee on canals and internal improvements to whom that part of his excellency the Governor's message was referred, relating to the Wabash and Erie canal and the report of the land commissioners; have according to order, had them under consideration and upon a thorough investigation of the subject, keeping an eye single to the glory, prosperity and character of the State, rights of her citizens, and the obligation to the general government, and purchasers of canal lands, to apply their proceeds to the construction of a canal to connect the waters of the Wabash with those of the Maumee—and believing that a strict, prompt, and speedy redemption of the faith of the State can be effected without resorting to taxation, and that the contemplated improvement, aided as the State is by a liberal donation, will be of a lasting and important benefit in facilitating the transportation of the surplus products of the country, and the importation of salt and other staple commodities necessary for the happiness and comfort of society, have, after mature deliberation, directed me to report a bill supplemental to an act providing means for the construction of the Wabash and Erie Canal;

The bill mentioned in and accompanying said report was read the first time and passed to a second reading.

A motion was made by Mr. Culley that the rules be dispensed with and that the House do now proceed to consider the orders of the day;

Which was decided in the negative.

Mr. Morris from the joint committee of enrolled bills reported that they had compared the enrolled with the engrossed memorial entitled "a memorial of the General Assembly of the State of Indiana to

the Congress of the United States for the relief of persons whose lands have been forfeited;

And found the same truly enrolled; when

The Speaker signed said memorial:

Ordered, That the clerk carry it to the Senate for the signature of their President.

On motion of Mr. Cravens,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so amending the twenty-second and twenty-fifth section of the law "regulating the jurisdiction and duties of justices of the peace" as to permit such justices to issue summons returnable in not less than three, nor more than thirty days: and to grant continuances, not exceeding thirty days, unless by consent of both parties, or as is otherwise provided for in the said law.

On motion of Mr. Slaughter,

Resolved, That the judiciary committee be instructed to enquire whether any and if any, what amendments are necessary to the act concerning vagrants.

On Motion of Mr. Thornton,

Resolved, That a select committee be appointed to enquire what amendments, if any are necessary to the act entitled "an act respecting salines and saline reserves" with leave to report by bill or otherwise.

Ordered, That Messrs. Thornton, Moyer, Culley and Logan be that committee.

On motion of Mr. Davis,

Resolved, That the judiciary committee be requested to enquire into the expediency of reporting a bill requiring all persons taking bills of sale, to record the same in the clerk's office, within ten days after the execution of the same.

Mr. Williams moved the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of authorizing by law, the board of county commissioners in the several counties in this State, when additional duties are required to be performed by clerks and sheriffs, to make them such allowance, therefor as they shall think proper, and further of allowing clerks a fee for receiving and paying over judgments.

And on the question to adopt the same,

It was decided in the negative.

On motion of Mr. Finch,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of passing a law authorizing the citizens of

Tippecanoe county to drain the ponds in the Wild Cat prairie with leave to report by bill or otherwise.

On motion of Mr. Culley,

Resolved, That the committee on roads be requested to enquire into the expediency of amending the 15th and 16th sections of the act entitled "an act for opening and repairing public roads and highways," approved February 10th, 1831, so as to give the power to appoint commissioners to change state roads, to the county board of commissioners instead of the circuit courts.

Mr. Crumpton moved the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of prohibiting by law, the passing of any bank bills of a less denomination than three dollars, except such as may be issued by banks within the limits of this state,

And on the question to adopt the same,

It was decided in the negative.

On motion of Mr. Conner,

Resolved, That the committee of ways and means be instructed to enquire into the state of the three per cent. fund, and ascertain how soon all former appropriations of said fund can be liquidated, and whether it will not be expedient to appropriate a further sum of said fund, and if so in what manner appropriated.

Mr. Thornton moved the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law that sheriffs shall keep their offices at the seats of justice of the several counties respectively, under regulations similar to those respecting clerks of the circuit courts.

Mr. Robinson moved to amend the same by inserting the words, "and collectors," after the word "sheriffs"—which was accepted by Mr. Thornton as a modification of the resolution.

A motion was made by Mr. Maxwell to lay said resolution on the table;

Which was decided in the negative.

Mr. Cravens then moved that the further consideration of said resolution be indefinitely postponed; and

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Brady, Casey, Clark, Clawson, Cox, Cravens, Crume, Culley, Davis, Decker, Ferguson, Flake, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Jones, Lane, Logan, Lynd, Maxwell, Morris, Moyer, Nelson,

Paddacks, Parks, Peyton, Polke, Proffit, Reid, Robinson, Rose, Rud-
dick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs,
Vawter, Wallace, Williams, Wilson and Wooden—54.

And those who voted in the negative are,

Messrs. Bryant, Conner, Cotton, Crumpton, Durham, Finch, Gard-
ner, Griggs, Grover, Hoover, Livingston, Mastin, Murray, Noble,
Reynolds, Thornton, Willet and Moore, Speaker—18.

And so the further consideration of said resolution was inde-
finitely postponed.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Hoover from the joint committee of enrolled bills reported,
That they did, on this day, present to the Governor for his appro-
val and signature,

A memorial of the General Assembly of the State of Indiana to
the Congress of the United States for the relief of persons whose lands
have become forfeited.

On motion of Mr. Brady,

The report of James Blake commissioner to superintend the build-
ing of a State House laid on the table on the 15th instant was taken
up, and

Ordered to be referred to the committee on Public Buildings.

The Speaker laid before the House the following communication
from the Secretary of State:

"The Secretary of State, acting as State Librarian respectfully re-
ports to the General Assembly the following catalogue of books &c.
received from the United States, and the several States and Territo-
ries, since his last annual report—nearly all of which were deposited
in the Library by Governor Ray after the third day of the present ses-
sion of the General Assembly viz:

126 copies Laws of the 2d session 21 Congress, and four sets of
Journals and documents of the session of 1828 '9—accom-
panying the same 9th 11th and 12th vols. Diplomatic cor-
respondence.

1 copy laws of Tennessee 1831. 2 vols.

1 " " New Hampshire 1830.

3 " " Pennsylvania 1831.

3 " " Missouri "

3 " " Kentucky 1831.

3 " " Delaware "

3 " " Mississippi 1830.

3	"	"	Illinois 1827. (Revision.)
3	"	"	" 1831.
1	"	"	Virginia "
3	"	"	Maine "
1	"	"	Maryland 1830.
1	"	"	do. 1831.
1	"	"	N. Carolina "
2	"	"	Connecticut 1829.
2	"	"	do. 1830.
3	"	"	do. 1831.
1	"	"	Louisiana 1831.
1	"	"	Georgia 1829.
1	"	"	Michigan "
1	"	"	do. 1830.
1	"	"	do. 1831.
3	"	"	N. Jersey "
1	"	"	Vermont 1829.
3	"	"	Alabama 1831.
1	"	"	S. Carolina 1830.
3	"	"	Ohio 1831 (Revision.)
3	"	"	N. York " (Revision.)
3	"	"	do. 1828.
3	"	"	do. 1829.

1 Large map of N. York and an Atlas exhibiting the topography and Statistics of each county separately.

These latter merit peculiar notice, not only from their intrinsic value, but also from their superiority as specimens of art,

Respectfully submitted.

JAMES MORRISON."

December 21, 1831.

On motion of Mr. Wilson,

Resolved, That the clerk of this House be directed to have five hundred copies of the canal bill printed in pamphlet form for the use of the members of this House.

Mr. Gardner after having obtained leave presented a joint resolution providing for the erection of a tomb stone on the grave of the late Theodore C. Cone Esq. deceased;

Which was read the first time and passed to a second reading.

Mr. Vawter after having obtained leave presented a joint resolution relative to the three per cent fund;

Which was read the first time and passed to a second reading.

Mr. Hoover after having obtained leave presented a bill to amend an act dividing the State into Judicial Circuits and fixing the times of holding Courts therein;

Which was read the first time and passed to a second reading.

Mr. Moyer after having obtained leave presented a bill authorizing a distribution of the money now due to road No. 8 and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Smiley after having obtained leave presented a bill to amend the act entitled "An act to establish a state road from Lake Michigan via Indianapolis to some convenient point on the Ohio river" approved January 13, 1830;

Which was read the first time, when

Mr. Alley moved that said bill be rejected: and

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bonner, Clawson, Cotton, Cravens, Crumpton, Culley, Davis, Decker, Finch, Flake, Grover, Hanna, Henderson, Jones, Mastin, Maxwell, Morris, Murray, Robinson, Secrest, Steele, Stevenson, Tebbs, and Wilson—28

And those who voted in the negative are,

Messrs. Bell, Brady, Bryant, Casey, Clark, Conner, Cox, Crame, Durham, Ferguson, Frame, Gardner, Griggs, Hargrove, Harrod, Heaton, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Reid, Reynolds, Rose, Ruddick, Slaughter, Smiley, Stanford, Thornton, Vawter, Wallace, Willet, Williams, Wooden and Moore, Speaker—44.

And so, the said bill was not rejected;

Ordered, that it pass to a second reading.

Mr. Griggs after having obtained leave presented a bill to amend an act entitled "an act establishing certain State roads therein named and for other purposes" approved February 10, 1831.

Which was read the first time and passed to a second reading.

Mr. Bryant after having obtained leave presented a bill to provide for changing a part of the State road leading from Indianapolis by way of Danville and Rockville to Montezuma;

Which was read the first time and passed to a second reading.

And then the House adjourned until to-morrow morning at ten o'clock.

THURSDAY MORNING, DECEMBER 22, 1831.

The House met pursuant to adjournment.

Mr. Stanford presented a petition of sandry citizens of Henry county, praying a road from Knightstown to Pendleton;

Which was read and referred to the committee on roads.

Mr. Brady presented a petition of Francis M'Clelland, commissioner on a state road from Martinsville to the Michigan road in Boon county, praying relief;

Which was read and referred to the committee on claims.

Mr. Bell presented a petition of Philip Stoops, jr. and others, praying a road from Greenfield, by way of Pendleton and Strawtown to Wilmington;

Which was read and referred to the committee on roads.

Mr. Cotton from the committee of ways and means to which was referred so much of the late Governor's message as relates to asylums in this state, reported that they have had the same under consideration, and are of opinion that it is inexpedient to legislate on that subject; and ask to be discharged from the further consideration of the same.

Ordered, That the committee be discharged accordingly.

Mr. Cotton from the same committee to which was referred a resolution of the House directing an enquiry into the expediency of repealing so much of the 39th section of the revenue law, as requires the clerks of the several counties to return to the Auditor of Public Accounts, a detailed statement of the delinquencies of the several counties, reported that it was inexpedient to legislate upon that subject, and asked to be discharged from the further consideration of the same;

Which report was read, when

Mr. Thornton moved to lay the same on the table,

Which motion was decided in the negative.

The question being then put,

"Shall the committee be discharged from the further consideration of the said subject?"

It was decided in the negative.

Mr. Wilson moved that the said report be referred back to the committee of ways and means, with instructions to report a bill repealing so much of the revenue law as requires a detailed report of delinquencies from the clerk as aforesaid, and to provide in lieu thereof merely for a certified statement of the amount of such delinquencies.

Mr. Crumpton moved to amend said motion so as to refer the subject to a select committee instead of the committee of ways and means;

Which motion was decided in the negative;
 The question recurring on the motion made by Mr. Wilson,
 It passed in the affirmative.

Mr. Slaughter from the committee on education, to which was referred a resolution of the House, directing an enquiry into the expediency of so amending the school law, that it shall be the duty of the school commissioner to loan out all monies coming into his hands from sales of school lands as principal or interest to the highest bidder, upon proper security being given; reported that it was unadvisable to legislate upon that subject at this time;

Which report was read and concurred in.

Mr. Wilson from the committee on roads, to which was referred the petition of William C. Bramwell, reported a bill for the benefit of the petitioner;

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee, to which were referred a petition and remonstrance of sundry citizens of Parke and Putnam counties, praying for and against a change in the state road leading from Indianapolis to Montezuma, to start 42 poles west of the 43 mile tree in Putnam county, and intersect said road again at the 48 mile tree in Parke county, reported that they believe it inexpedient to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Ordered, That the committee be discharged accordingly.

Mr. Conner from the select committee to which was referred the petition of James Hughes, reported a bill providing for a relocation of part of the Fort Wayne state road;

Which was read the first time and passed to a second reading.

Mr. Bell moved the following resolution,

Resolved, That the judiciary committee be requested to enquire into the propriety of so amending the law that qualified voters of the state of Indiana may vote any where within the limits of the state for electors of President and Vice President of the United States on the day of such election.

Mr. Steel moved to amend the same by adding the words "Upon their making affidavit that they have not voted elsewhere in the State."

Which was accepted by Mr. Bell as a modification of the resolution:

It passed in the affirmative.

The question then being put on the adoption of said resolution;

On motion of Mr. Clark,

Resolved, That the judiciary committee be instructed to enquire.

into the expediency of amending the 6th and 7th sections of an act for the appointment of county surveyors and their deputies, approved February 4, 1831, so as to make it obligatory on all proprietors of any lands in this State where a surveyor shall be called upon to perpetuate any corner or corners, that the cost of the same shall be taxed on each person agreeably to the number of acres they hold, and report by bill or otherwise;

Mr. Culley moved the following resolution:

Resolved, That the committee on roads be directed to enquire into the expediency of repealing so much of the road law as authorizes a tax on lands for road purposes, and in lieu thereof reporting a bill authorizing an *ad valorem* tax on lands, personal property, goods, wares, and merchandize, for building bridges, repairing roads and highways, to be levied and expended under the direction of the county commissioners of the proper county in which the tax aforesaid shall be collected:

Which was read, when

Mr. Cravens moved that the further consideration thereof be indefinitely postponed:

Before the question was put thereon it was,

On motion of Mr. Morris,

Ordered, That said resolution do lie on the table.

On motion of Mr. Noble,

The resolution moved by him, and laid on the table on the 16th inst. was taken up:

Which resolution reads as follows viz.

Resolved, That the committee of ways and means be instructed to enquire into the expediency of amending the revenue law so that after the taxes upon land are _____ years in arrear, the said land shall become the property of the State to be applied to the use of schools."

Mr. Noble moved to fill up the blank therein with the number "three."

The numbers 10, 7, 6, 5, and 4, were also severally proposed:
Before the question was put,

Mr. Hoover moved that the further consideration of said resolution and proposed amendment be indefinitely postponed;

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Baber, Bell, Brady, Clark, Crume, Flake, Henley, Hoover, Jones, Lane, Paddacks, Parks, Polke, Profit, Steefe, Stevenson, Willet, and Wilson, 20.

And those who voted in the negative are,

Messrs. Alley, Bonner, Bryant, Casey, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Frame, Gardner, Griggs, Hanna, Hargrove, Harrod, Heaton, Henderson, Hite, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Nelson, Noble, Peyton, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Tebbs, Thornton, Vawter, Wallace, Williams, Wooden, and Moore, Speaker—52.

And so said motion was decided in the negative;

The question recurred on filling the blank in said resolution, and

Being successively put on filling the blank with the numbers 10, 7, 6, and 5, in their order.

Was decided in the negative,

The question being then put on filling the blank with the number "four,"

It passed in the affirmative.

Mr. Thornton moved further to amend said resolution, by referring the enquiry to a select committee of ways and means.

Which motion passed in the affirmative.

The said resolution,

On motion of Mr. Hoover;

Was further amended by adding thereto the words "in the counties where the the lands lie."

The question being then put,

"Shall said resolution as amended be adopted?"

It passed in the affirmative.

Ordered, That Messrs. Noble, Lane and Slaughter be a committee in pursuance thereof.

Mr. Angle moved the following resolution,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so providing by law as to make it necessary that any petitioner or petitioners hereafter shall give days public notice prior to the first day of the session of the Legislature to which any petition shall be presented, by said petitioner or petitioners, setting forth in such notice the object prayed for in such petition.

Mr. Smiley moved to fill the blank in said resolution with the number "30."

The numbers 60, 20, and 10 were also respectively proposed, and

Questions being put in order upon the numbers 60, 30 and 20,

Were severally decided in the negative.

The blank was then filled with the number 10.

On motion of Mr. Noble,

The said resolution was further amended by inserting after the word "petitioners," where it first occurs, these words, "praying the alteration of county boundaries, removal of county seats and changing the routes of state roads."

Mr. Culley moved further to amend the same by inserting after the word "petitioners," in the latter clause thereof, these words "in some newspaper printed nearest thereto."

Mr. Crumpton moved to amend said amendment by adding thereto the following, 'or in three of the most public places in the county,'
Which motion passed in the affirmative.

A motion was then made by Mr. Hoover that said resolution and proposed amendment be laid on the table,
Which was decided in the negative.

The question recurred on the amendment moved by Mr. Culley as amended; and
Being put,
It passed in the affirmative.

Mr. Hite then moved that the further consideration of said resolution be indefinitely postponed;
Which motion passed in the affirmative.

On motion of Mr. Willet,
Ordered, That Mr. Caldwell have leave of absence from the service of the House during his indisposition.

And then the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Hoover moved the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of dividing the state into congressional districts prospectively, and if they find the same expedient, that they report a bill based on a ratio so as to allow Indiana six representative districts, and also on a ratio allowing her seven districts.

Which was read, and

On motion of Mr. Noble,
Ordered to lie on the table.

On motion of Mr. Moyer,

Resolved, That the clerk of this House be requested to have five hundred copies of the act of Congress which devotes a certain quantity of land to the state of Indiana for canal purposes, printed for the

use of the members of this House, to be attached to the canal bill which is ordered to be printed.

Mr. Gardner after having obtained leave presented a bill to authorise the Vermillion circuit court to change the venue in a certain case therein named;

Which was twice read the rules of the House having first been dispensed with,) and ordered to be engrossed and read a third time to-morrow.

Mr. Griggs after having obtained leave, presented a bill to revive a certain state road therein named, and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Ruddick after having obtained leave, presented a bill to repeal an act entitled, "An act to authorise the Board of justices of Bartholomew county to levy an additional tax," approved January 6, 1829;

Which was read the first time and passed to a second reading.

Mr. Clawson after having obtained leave, presented a bill to amend the act entitled "An act to provide for the location of certain state roads therein named," approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Durham after having obtained leave, presented a bill to legalize the proceedings of the school trustees of congressional township 5, range 4 east, in Jackson county;

Which was read the first time and passed to a second reading.

Mr. Williams after having obtained leave presented a bill to authorise the board of commissioners of Floyd county to contract for the keeping and taking care of the paupers of said county, and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Logan after having obtained leave, presented a bill to incorporate the Fredericksburgh bridge company;

Which was read the first time and passed to a second reading.

Mr. Bryant after having obtained leave, presented a bill to legalize certain acts of the justices of the peace of this state.

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris their Assistant Secretary;

Mr. Speaker,

The Senate has passed an engrossed joint resolution in relation to internal improvements, a protecting tariff and re-chartering the Bank

of the United States, in which the concurrence of the House of Representatives is requested.

The joint resolution named in said message was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The bill to provide for relocating a part of the Mauks ferry state road,

The bill to locate a state road from Greenfield in Hancock county, by the way of Noblesville, the county seat of Hamilton county, and from thence to intersect the Michigan road, at or near where the Lafayette and Newcastle state road crosses the same,

The bill to authorise the inhabitants of congressional township 9 in range 7, to sell the school lands of said township,

The bill to amend the 24th section of an act to appropriate part of the three per cent. fund and for other purposes, approved February 10, 1831,

The bill to repeal part of the act entitled "An act making provision for expending the Mauks ferry road fund, and for other purposes, approved January 28, 1830,

The bill to authorise the citizens of congressional township No. 20 north of range 10 west, in the county of Warren, to dispose of the school section therein,

The bill to refund the revenue of Grant county, and

The bill authorising Moses Robbins of Parke county, Indiana, to sell the real estate of Prosper Foote, late of said county, deceased,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill to amend an act entitled "An act regulating the taking up of animals going astray, and water craft and other articles of value adrift,"

The engrossed bill from the Senate for the formation of the county of La Porte, and for other purposes,

The bill to amend the act entitled "An act regulating the jurisdiction and duties of justices of the peace," approved February 10, 1831,

The bill granting relief to the contractors of the Michigan road, and

The bill to incorporate the New Albany insurance company,
Were severally read the second time and committed to a committee of the whole House for to morrow.

The engrossed bill from the Senate supplemental to an act entitled "An act to establish a state road from Richmond in Wayne county, to Fort Wayne," was read the second time, and

On motion of Mr. Hoover,
Ordered to lie on the table.

The bill to authorise the location of a road from Fort Wayne in Allen county, to Mon-go-qui-non prairie in the county of—,
Was read the second time, and

On motion of Mr. Hanna,
Ordered to lie on the table.

The bill to establish a state road from Fort Wayne in Allen county, to South Bend in St. Joseph county, by way of Goshen in Elkhart county;

Was read the second time and committed to a committee of the whole House for Saturday next.

And the House adjourned until to-morrow morning at ten o'clock.

FRIDAY MORNING, DECEMBER 23, 1831.

The House met pursuant to adjournment.

Mr. Morris presented a petition of sundry citizens of Decatur, Rush, Shelby, Hancock and Hamilton counties praying a road from Greensburgh via Greenfield and other points to the intersection of the Lafayette and New Castle State road with the Michigan road;

Which was read and referred to a select committee of Messrs. Morris Paddacks, Bell and Conner.

Mr. Hite presented a petition of David Armstrong and other citizens of Monroe county praying an amendment of the law so that a person shall not be disqualified from giving evidence in a court of Justice on account of his disbelief in the existence of a Supreme Being, or other religious opinions with an accompanying document;

Which was read and referred to the committee on the judiciary.

Mr. Crume presented a petition of James Putnam and Mary Putnam his wife praying a divorce from each other;

Which was read, when

Mr. Steele moved that the further consideration thereof be indefinitely postponed;

Which motion was decided in the negative.

Ordered, That said petition be referred to a select committee of Messrs Crume, Clawson and Finch.

Mr. Ferguson presented a petition of George White commissioner on State road No. 12 praying authority to draw and apply the money due and to grow due said road, on a bridge over Silver creek where said road crosses;

Which were read and referred to the committee on roads.

Mr. Robinson, presented a petition of Robert Ray praying relief;
Which was read, and referred to the committee of ways and means.

Mr. Slaughter presented a petition of Lydia Booker, praying a divorce from her husband Richard M. Booker; and accompanying documents:

Which were read and referred to a select committee of Messrs. Slaughter, Griggs and Williams.

Mr. Bell presented a petition of Catharine Russell and other citizens of Madison county: praying that said Catharine be divorced from her husband James Russell, and an accompanying document,

Which were read and referred to a select committee of Messrs. Bell, Gardner, and Wooden.

Mr. Culley presented a petition of J. W. Hunter and others praying the incorporation of an insurance company in Lawrenceburgh,

Which was read, and referred to a select committee of Messrs. Culley, Davis and Grover.

Mr. Thornton presented a petition of John Eavins and others praying an alteration in the county line dividing the counties of Lawrence and Jackson,

Which was read, and

On motion of Mr. Livingston,

Ordered, To lie on the table.

Mr. Cotton from the committee of ways and means to which was referred a report of the same committee with instructions to report a bill repealing so much of the revenue law as requires the clerks of the several circuit courts to return to the Auditor detailed statements of delinquencies, reported a bill amendatory of the act for assessing and collecting the revenue, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Cotton from the same committee, to which was referred a resolution of the House directing an enquiry into the expediency of ex-

empting all persons from the payment of a poll tax who are not entitled to vote, reported against the expediency of such an exemption; and asked to be discharged from the further consideration of the subject;

Ordered, That the committee be discharged accordingly.

Mr. Cotton from the same committee, to which was referred a resolution of the House directing them to enquire into the expediency of giving to collectors until the first Monday in May annually to pay over the county revenue, reported that the committee are of opinion that it would be bad policy to make the change, inasmuch as it would then be necessary for the collector to call twice in place of once, for the taxes, and asked to be discharged from the further consideration of the subject.

Which was read, when

Mr. Moyer moved to lay the same on the table;

Which motion was decided in the negative, and

On the question to discharge said committee:

It passed in the affirmative.

Mr. Thornton made the following report:

The judiciary committee to which was referred the petition of Thomas J. Walker of Hendricks county praying an enquiry into the official conduct of Young L. Hughes a Justice of the Peace of said county, have according to order had subject under their consideration and after having examined sundry witnesses relative to the subject, find the following facts to be made out substantially against the said Young L. Hughes.

That on the third day of May 1831, a certain action came on to be heard before the said Hughes, wherein one Hiram Young was plaintiff, and the said Walker was defendant, and which was brought by the said Young against the said Walker to recover of him a certain bay horse alleged to have been detained by him from the said Young and in which case a trial was had and a judgment rendered by the said justice against the said Walker in favour of the said Young "*for the costs of suit and the horse*;" from which judgment so rendered, he the said Walker prayed an appeal to the Circuit Court of Hendricks county, and entered into bond with security for the prosecution of his said appeal—that the said Hughes failed to make a return of the papers in said case to the said Hendricks Circuit Court, within the twenty days prescribed by law; but wilfully, designedly and corruptly, withheld them until the 10th day of September following, and then made a return of a transcript, purporting to be a transcript of his judgment in said case and certified by him as such, but which was a false and altered one and wholly different from the record of said case on his docket, in consequence of which failure to return the papers in said appeal case by the said justice Hughes, the said Walker's suit of appeal was dismissed and thrown out of court at the costs

of the said Walker, whereby he was involved in great trouble, hardship and expense.

Your committee also find that on the day of in the year 1830, complaint was preferred before said Hughes, by Christopher Fowler of the said county of Hendricks, against a certain Samuel Rogers, for stealing an axe the property of the said Fowler, and the said Rogers having been brought before the said justice Hughes, he proceeded to hear said charge, and acquitted or discharged the said Fowler of the charge of larceny, but proceeded to assess a fine against him of three dollars for a trespass, the collection of which was immediately enforced by him; but for the amount of which fine he has wholly failed to make any return, or to account to the proper authority, but has fraudulently and corruptly appropriated the same to his own use.

Your committee also find that on the 29th day of October 1831, an action of trover and conversion was instituted by the aforesaid Hiram Young, as plaintiff, against the said Thomas J. Walker, as defendant, for a certain bay gelding, damages \$20—which case was made returnable, and came on for trial on the 5th day of November 1831; that at the return of the process, and previous to calling the cause for trial, the said Walker made an application, under the provisions of the statute, to change the venue from before said justice Hughes, to some other justice of the peace and submitted to said justice, a paper in the form of an affidavit, setting forth that owing to the prejudice of said justice Hughes, he verily believed he would not receive a fair trial in said case; and then and there offered to swear to the same, at the same time tendering to said justice the amount of the costs of such change of venue, which change the said justice intimated the applicant could have, unless a jury should be demanded by the plaintiff in the case—upon which intimation of said justice, the plaintiff Hiram Young instantly demanded a jury, and thereupon the said justice decided that the application to change the venue would not be granted; and ordered the constable in attendance to summon a jury instantler, to try the case, which the constable proceeded to do—The said Walker then repeated his application for a change of venue, and in support of it offered to make oath that owing to the advantage which the said Young had over him in the township in which the said justice resided, he verily believed he would not receive a fair trial before said justice Hughes in the case, again repeating his tender to pay all the necessary expenses of such change; which application was also again overruled by said justice Hughes, observing that it was then too late to make such application—the said Walker then left the place of trial, and the justice proceeded to cause a jury to be empannelled and sworn to try the case, sent them out and then swore sundry witnesses on behalf of the parties all of whom were sent out to the jury to be examined by them alone, not in the presence of the justice he assigning as a pretext for so doing, that as objections had been

taken by the defendant to him the said justice sitting to hear and determine the cause "he wished to have as little to do with it as possible" but wished to leave it solely to the determination of the jury. The committee find however that the said justice occasionally went to the jury and gave instructions as to the law &c. in the case that the said trial resulted in the jury finding a verdict for \$20, the amount of the plaintiff's demand, an entry of which was made by said justice on his docket, and upon which he soon after proceeded to issue an execution against the property of the said Walker, without having rendered or made an entry of any judgment on said verdict which writ of execution was placed in the hands of William Davidson, a constable of said county of Hendricks who was proceeding to coerce the collection of the same by law, but was prevented from so doing by the said Walker taking an appeal to the circuit court of the said county of Hendricks, which appeal is now pending in said court.

Your committee, moreover, also find that some time about the day of last past, an execution was issued by Christian Hartman, a justice of said county of Hendricks, in favor of one Jonathan Williams against James Pennington for the sum of fifty-five dollars and costs; which was placed in the hands of William Davidson, a constable of said county, to be executed according to law; that after this, and whilst the said execution was in the hands of the said constable, the said justice Hughes issued an execution in favor of one

Higgins, for about fifty dollars debt, with costs, &c. against the said James Pennington, and with a view to make said execution over-reach the aforesaid execution in favor of Williams, in the hands of the officer, caused the same to be ante-dated, making it older in date to that of the said Williams, and then delivered it into the hands of said constable, with instructions to proceed to make the money on it before that of the said Williams.

Your committee also are inclined to believe, that the said Hughes has, in some instances, assessed fines for violations of the penal laws of the state, against sundry individuals contrary to law, and of which he appears not to have made any return to the clerk's office; but as no legal or satisfactory evidence of such has been adduced before your committee, they are not able to present any specific charge of that kind. Your committee would further state, that evidence relative to sundry acts and proceedings of the said justice Hughes, whilst acting in an official capacity, under a former commission as a justice of said county of Hendricks, was attempted to be adduced before them, but of which, they not deeming they could take cognizance, and have accordingly taken no notice of, declined hearing the same.

Upon the whole, your committee cannot but repeat the opinion heretofore intimated, that the said Young L. Hughes, as such justice of the peace, has been guilty of a plain and gross violation of his power and authority, not only in the cases of the said Thomas J. Walker, but also in the other cases alluded to, and that justice de-

mands that an enquiry ought to be instituted into his official conduct, for the purpose therefore of affording to the said petition the remedy pointed out by the constitution for the grievance complained of, and also to put the aforesaid justice Hughes to his trial and to afford him an opportunity of presenting a justification of his official conduct, if in his power so to do. Your committee submit for the adoption of the House the following resolution, viz.

Resolved, That a committee be appointed to draft articles of impeachment against the said Young L. Hughes a justice of the peace of the said county of Hendricks, for high misdemeanors in his official capacity as such justice of the peace as aforesaid upon the several charges above mentioned.

The question being put on the adoption of the resolution reported by said committee;

It passed in the affirmative,

Ordered, That Messrs. Thornton, Cravens, Bryant and Angle be a committee in pursuance of said resolution.

Mr. Wilson from the committee on roads to which was referred a petition on that subject reported a bill to provide for changing a part of the State road leading from New Albany to Vincennes;

Which was read the first time and passed to a second reading.

Mr. Angle from the committee on roads to which were referred sundry petitions and remonstrances on that subject, reported a bill providing for the re-location of a part of the Williamsport State road;

Which was read the first time and passed to a second reading.

Mr. Clawson from the committee on roads to which was referred a petition on that subject, reported a bill to locate a State road from Jefferson in Clinton county to Attica, and from thence to Farmer's ford and from thence to intersect the Williamsport State road in the direction to Chicago;

Which was read the first time and passed to a second reading.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Noble,

The resolution relative to the formation of Congressional districts, moved by Mr. Hoover and laid on the table yesterday was taken up.

The question being put,

Shall the resolution be adopted?

It passed in the affirmative.

On motion of Mr. Morris,

Resolved, That the committee on the judiciary be instructed to report a bill legalizing the proceeding of the probate courts held un-

der the provisions of the act of the last General Assembly so far as it concerns the time where the said court may have held their session longer than one day at the regular terms thereof.

On motion of Mr. Ferguson,

Resolved, That a committee be appointed to enquire into the expediency of providing by law for the survey of the dividing line of Clark, Washington and Floyd counties, with leave to report by bill or otherwise;

Ordered, That Messrs. Ferguson, Logan, and Williams be that committee.

Mr. Griggs moved the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the law as to require sheriffs to appoint a deputy in their respective county seats—and

The question being put on its adoption,

It was decided in the negative.

On motion of Mr. Maxwell,

The resolution moved by him and laid on the table on the 13th inst. was taken up, which resolution is in the words following, to wit:

"Resolved, That the committee on military affairs be instructed to enquire into the expediency of so amending the militia law as to do away the battalion and company musters, and that they report by bill or otherwise."

Mr. Logan moved that the further consideration of said resolution and the amendment thereto moved by Mr. Clark and depending, when the resolution was laid on the table, be postponed until the first Monday in August next; which amendment proposed the abolition of all musters except one regimental muster in each year—and

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bell, Casey, Clawson, Cotton, Cox, Cravens, Crume, Ferguson, Flake, Frame, Griggs, Heaton, Henderson, Henley, Hite, Lane, Logan, Lynd, Mastin, Moyer, Noble, Parks, Peyton, Polke, Reid, Stevenson, Vawter, Wallace Williams, Wilson, and Wooden—31.

And those who voted in the negative are,

Messrs. Aker, Alley, Baber, Bonner, Brady, Bryant, Clark, Conner, Culley, Davis, Decker, Finch, Gardner, Hanna, Hargrove, Harrod, Hoover, Jones, Livingston, Maxwell, Morris, Murray, Nelson, Paddacks, Proffit, Reynolds, Robinson, Rose, Ruddick, Slaughter, Smiley, Steele, Tebbs, Thornton, Willet, and Moore, Speaker—36.

And so said motion was decided in the negative.

Mr. Clark then withdrew his said motion to amend.

Mr. Noble moved to amend said resolution by striking out the word "company," and inserting in lieu thereof the word "regimental," Which motion was decided in the negative.

The question recurred on adoption of said resolution.

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bonner, Brady, Bryant, Conner, Davis, Decker, Finch, Hanna, Hargrove, Harrod, Heaton, Henderson, Hoover, Jones, Maxwell, Morris, Murray, Proffit, Ruddick, Slaughter, Smiley, Steele, Tebbs, Thornton, Willet, and Moore, Speaker—30

And those who voted in the negative are,

Messrs. Bell, Casey, Clark, Clawson, Cotton, Cravens, Crume, Crumpton, Culley, Ferguson, Flake, Frame, Gardner, Griggs, Hensley, Hite, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Noble, Paddacks, Parks, Peyton, Polke, Reid, Reynolds, Robinson, Rose, Stevenson, Vawter, Wallace, Williams, and Wooden—37.

And so said resolution was not adopted.

Mr. Robinson after having obtained leave, presented a bill for the formation of a volunteer corps of light infantry in the 33d regiment of the militia of this State;

Which was read the first time and passed to a second reading.

On motion of Mr. Steele,

The engrossed bill from the Senate supplemental to an act entitled "An act to establish a state road from Richmond in Wayne county, to Fort Wayne," laid on the table yesterday,

Was taken up and committed to a committee of the whole House for Monday next.

Mr. Mastin after having obtained leave, presented a bill to incorporate the Danville school society:

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The joint memorial to Congress for an appropriation of public lands to make a rail-road or other artificial road from Indianapolis to Fort Wayne; and

The engrossed bill from the Senate to amend the act entitled "An act to encourage the killing of wolves," approved February 10, 1831,

Were severally read the second time and committed to a committee of the whole House for Monday next.

The bill to amend an act entitled "An act regulating the interest of money in the State of Indiana," approved February 1, 1831;

Was read the second time and committed to a committee of the whole House for to-morrow.

A message from the Senate, by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills entitled as follows, to wit:

"An act to establish a state road from Greensburgh in Decatur county, to Noblesville in Hamilton county."

"An act to amend the act entitled "an act regulating the fees and salaries of the several officers and persons therein named," approved February 7, 1831.

"An act to amend the act entitled "an act authorising domestic attachments and regulating the proceedings thereon," approved Jan. 19, 1831.

"An act supplemental to an act, entitled "An act to regulate general elections." Approved Jan. 30, 1831.

Also

An engrossed joint resolution on the subject of the United States Bank.

In all of which the concurrence of the House of Representatives is requested.

The bills and joint resolution mentioned in said message, were severally read the first time and passed to a second reading.

On motion of Mr. Culley;

The several orders of the day which precede the bill amendatory to the act entitled "An act to organize Probate Courts and defining the powers and duties of executors, administrators, and guardians." approved Feb. 10, 1831, were for the present postponed.

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein, the Speaker resumed the chair, and Mr. Wilson reported the same with one amendment,

Which was read and concurred in by the house.

The bill was then ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Thornton,

The Rules of the House were dispensed with, and

The resolution moved by him relative to the procuring two of Scott & Lodwick's maps of Indiana to be suspended in this Hall, and laid on the table, on the 19th inst. was taken up.

The question being then put on the adoption of said resolution,
It passed in the affirmative.

And then the House adjourned until to-morrow morning at ten o'clock.

SATURDAY MORNING, DECEMBER 24, 1831.

The House met pursuant to adjournment.

The Speaker laid before the House a memorial of Matthew Borland, verified by affidavit of himself and others, praying articles of impeachment against Alfred J. Athon, a justice of the peace in and for the county of Lawrence;

Which was read and referred to the committee on the judiciary.

Mr. Logan presented a petition of Matthew Brown and others, and a petition of Moses Sparks and others, severally praying for the location of a state road from the house of William Logan, in Washington county, by way of Leesville and Spark's ferry to Bloomington, and for an appropriation thereon;

Which were read, and

On motion of Mr. Logan,

Ordered to lie on the table.

Mr. Hanna presented a petition of citizens of St. Joseph county, praying that the Michigan road may be speedily opened from Logansport to the mouth of Des Chemin river as now located;

Which was read and referred to the committee on roads.

Mr. Williams presented a memorial of Mason C. Fitch and others, citizens of this state, praying the incorporation of a company to be entitled the New Albany, Salem, Indianapolis and Wabash rail-road company;

Which was read and referred to the committee on canals and internal improvements.

Mr. Alley presented a petition of sundry citizens of Decatur county, praying a special act to incorporate the trustees of the county seminary of said county;

Which was read and referred to a select committee of Messrs. Alley, Tebbs and Willet.

Mr. Thornton from the committee on the judiciary, to which was referred a resolution of this House, directing an enquiry into the expediency of so amending the act incorporating Congressional townships and providing for public schools therein," as to provide for giv-

ing a reasonable compensation for the services of the board of trustees and clerk therein named, reported that it was inexpedient to make any legislative provision on that subject;

Which report was read and concurred in by the House.

Mr. Thornton from the same committee, to which was referred a resolution of the House, directing an enquiry into the expediency of providing by law a compensation to associate judges for granting writs of *habeas corpus*, reported that it is inexpedient to make any legislative provision on that subject;

Which report was read and concurred in.

Mr. Thornton from the same committee made the following report:

The judiciary committee to which was referred the memorial of James Chess of Lawrence county, praying an enquiry into the official conduct of John J. Barnett, a justice of the peace of said county, have, according to order, had that subject under consideration and have directed me to report; that from the evidence adduced before them in said case, by said Chess in support of the charges preferred by him against said Barnett, they can perceive no just cause of complaint against the said justice Barnett, but on the contrary are of opinion that the proceedings of the said justice therein, were in strict conformity to the provisions of the law on the subject; and they therefore recommend the adoption of the following resolution, viz:

Resolved, That in the opinion of this House, the evidence adduced by James Chess of Lawrence county, in support of the charges of malfeasance in office, preferred by him against John J. Barnett a justice of the peace of said county, as set forth in his memorial, presented to this House, is not sufficient to sustain said charge or to justify any further inquiry into the official conduct of said justice, and that therefore the prayer of the said memorialist is unreasonable and ought not to be granted.

Which resolution having been read;

A motion was made by Mr. Livingston to lay the same on the table:

Which was decided in the negative;

The said resolution was then agreed to by the House.

Mr. Thornton from the same committee to which was referred a resolution of the House directing an enquiry whether any mode of punishment could be adopted for violations of the criminal law other than imprisonment in the county jail which would be less expensive to the people and equally conducive to the public peace, reported that it was inexpedient to legislate for that subject;

Which report was read and concurred in.

Mr. Thornton from the same committee to which was referred a

resolution of the House directing an enquiry into the expediency of amending the act regulating the jurisdiction and duties of justices of the peace as to make it necessary for plaintiffs in all civil cases to commence their suits alone before some justice of the peace of the township in which the defendant shall reside, reported that in the opinion of said committee it is inexpedient to legislate upon that subject;

Which report was read, when

Mr. Angle moved that the same be referred to a select committee with instructions to report a bill limiting the jurisdiction of justices of the peace as proposed in said resolution; and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Casey, Clark, Clawson, Cox, Cravens, Crume, Culley, Durham, Ferguson, Finch, Flake, Frame, Gardner, Hargrove, Harrod, Heaton, Henley, Hite, Lane, Lynd, Mastin, Maxwell, Morris, Murray, Nelson, Paddacks, Polke, Proffit, Robinson, Rose, Smiley, Stanford, Stevenson, Wallace, Willet, Williams, and Wooden 42.

And those who voted in the negative are,

Messrs. Aker, Bryant, Cotton, Crumpton, Davis, Decker, Griggs, Hanna, Henderson, Hoover, Jones, Livingston, Logan, Moyer, Noble, Parkes, Reid, Reynolds, Ruddick, Slaughter, Steele, Tebbs, Thornton, Vawter, Wilson, and Moore, Speaker—26.

And so said motion passed in the affirmative;

Whereupon,

Messrs. Angle, Ferguson and Finch were appointed that committee.

On motion of Mr. Hanna,

Ordered, That Mr. Conner have leave of absence from the service of the House until Tuesday next.

And then the House adjourned until Monday morning at nine o'clock.

MONDAY MORNING, DECEMBER 26, 1831.

The House met pursuant to adjournment.

Mr. Proffit presented a petition of sundry citizens of Pike county, praying an act to authorize the trustees of the Seminary of said

county to loan the funds of said Seminary to the county of Pike to be applied toward the completion of their court house;

Which was read and referred to a select committee of Messrs. Proffit, Casey and Cox.

Mr. Wilson from the committee on roads to which was referred the petition of sundry citizens of Franklin county praying for a change in the present road law; reported that a majority of said committee believe it inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same.

Ordered, That the committee be discharged accordingly.

Mr. Wilson from the same committee to which was referred a resolution of the House, directing an enquiry into the expediency of changing the law so as to give the county commissioners power to change state roads; reported that it is not necessary to legislate on that subject;

Which report was read and concurred in.

Mr. Wilson from the same committee to which was referred so much of the Governor's message as relates to the Michigan road—also a resolution of the House upon that subject; reported a bill to provide for selling the Michigan road lands to open that part of the Michigan road between Logansport and Lake Michigan, and for other purposes;

Which was twice read (the rules of the House having first been dispensed with,) and committed to a committee of the whole House for to-morrow.

On motion of Mr. Crume,

Ordered That 75 copies of said bill be printed for the use of the members of this House.

Mr. Wilson from the same committee to which was referred a petition of sundry citizens of Clay county on that subject, reported a bill to locate a State road from Spencer in Owen county by way of Bowling Green in Clay county to Terre-Haute in Vigo county,

Which was read the first time and passed to a second reading.

Mr. Willet from the committee on roads to which several petitions on that subject were referred reported a bill to alter and relocate part of the Vernon and Fort Wayne State road, and part of the Shelbyville State road in Rush county;

Which was read the first time and passed to a second reading.

Mr. Stanford from the committee on roads to which was referred a petition on that subject reported a bill to establish a State road from Knightstown in Henry county by way of Pendleton in Madison county, to Strawtown in Hamilton county.

Which was read the first time and passed to a second reading.

Mr. Culley made the following report:

The committee on canals and Internal Improvements, to which were referred the petitions of sundry citizens of Dearborn, Shelby, and other counties in this State, praying the incorporation of a company to construct a rail-road from Lawrenceburgh to Indianapolis, have had the subject under consideration, and deem the prayer not only reasonable and proper, but of the greatest importance to the citizens in general, and particularly those of the eastern and middle portions of the State. And to the end and purpose of carrying into effect the object of the petitioners, your committee have drafted and desired me to report a bill, incorporating a company with certain privileges and immunities, defined and liberal, which they hope may meet the sanction and approbation of the House.

Which report was accompanied by a bill to incorporate the Lawrenceburgh and Indianapolis rail-road company;

The said bill was read the first time and passed to a second reading.

Mr. Morris from the select committee to which was referred the petition of sundry citizens of Shelby county, for a state road from Greensburgh via Moscow, Morristown and Greenfield, to Noblesville reported that there is a bill from the Senate now before this House, which embraces the prayer of the petitioners, and they therefore ask to be discharged from the further consideration of said petition.

Ordered that said committee be discharged accordingly.

Mr. Murray from the select committee to which was referred a petition of sundry citizens of Allen county on that subject, reported a bill for the formation of the county of Lagrange;

Which was twice read (the rules of the House having first been dispensed with) and committed to a committee of the whole House for to-morrow.

Mr. Parks from the select committee to which was referred the petition of citizens of Lawrence county praying for a state road from Bedford, via Beck's mills, to the Falls of Ohio, reported a bill to provide for the location of a certain state road therein named;

Which was read the first time and passed to a second reading.

Mr. Thornton made the following report:

The select committee heretofore appointed by the order of this House to draft and prepare articles of impeachment against Young L. Hughes a justice of the peace of the county of Hendricks, charged in the memorial of Thomas J. Walker of said county with corruption and malfeasance in office, have, in obedience to the said order, prepared Articles of Impeachment accordingly against said Young L. Hughes, which are herewith respectfully submitted,

H. P. THORNTON,
J. H. CRAVENS,
WILLIAM BRYANT,
J. ANGLE.

The State of Indiana: Set.

ARTICLES of impeachment exhibited by the House of Representatives of said State, in the name of themselves and of said State, against Young L. Hughes a justice of the peace of the county of Hendricks and State aforesaid, to the Senate of said State.

ARTICLE 1.

That the said Young L. Hughes a justice of the peace for the county and State aforesaid, has been, and is guilty of corruption and malfeasance in his office of justice of the peace for the county aforesaid, to wit, at the county aforesaid.

SPECIFICATION 1.—That on the third day of May, in the year of our Lord one thousand eight hundred and thirty one, a certain action had been instituted, and came on to be heard before the said Young L. Hughes, being then and there such justice of the peace as aforesaid, wherein one Hiram Young was plaintiff, and one Thomas J. Walker was defendant, and which action was brought by the said Hiram Young against the said Thomas J. Walker, to recover of the said Thomas J. Walker a certain bay horse, the possession of which was claimed by the said Hiram Young, by virtue of having taken the same up as an estray, and alleged by him to be detained by the said Thomas J. Walker, and in which case a trial was then and there had, before the said Young L. Hughes, and a judgment was rendered by him the said Young L. Hughes being such justice of the peace as aforesaid, in favor of the said Hiram Young against the said Thomas J. Walker, that he the said Hiram Young recover "*costs of suit and the horse,*" from which judgment so rendered as aforesaid, he the said Thomas J. Walker immediately and within the time prescribed by law, prayed an appeal to the circuit court of the county of Hendricks aforesaid, and at the same time entered into bond with security which was approved of by said justice Hughes, for the prosecution of said appeal according to law. That the said Young L. Hughes ascertaining that the said judgment so rendered by him as aforesaid, owing to the manner in which it had been entered upon his docket, could not be legally enforced against the said Thomas J. Walker, did with the intent to injure and oppress the said Thomas J. Walker, wrongfully, corruptly and unlawfully withhold the appeal papers in said case until after the twenty days prescribed by law, in such case made and provided, to wit: until the fourteenth day of September next ensuing the time of praying of the said appeal, on which day he the said Young L. Hughes, as such justice of the peace as aforesaid, did file with the clerk of the said Hendricks circuit court, in the office of said clerk, a paper purporting to be a true transcript from his docket of his proceedings in said case, and certified by him on the tenth day of September last past, to be such; but which paper so filed by him as aforesaid, was a false, altered and spurious one, and wholly different both in form and substance from the entry upon his docket made by

him in said case, in consequence of which failure of him, the said Young L. Hughes, being such justice of the peace as aforesaid, to make return of the papers in said appeal in due time to the clerk's office of the said Hendricks circuit court, as was by law his duty to do, and of his return of the said false, altered and spurious transcript as aforesaid, the appeal taken by him, the said Thomas J. Walker as aforesaid, was afterwards to wit, at the last term of the said Hendricks circuit court, on the motion of the said Hiram Young by his counsel dismissed out of court, at the costs of the said Thomas J. Walker, whereby he, the said Thomas J. Walker, has wholly lost the benefit of his said appeal, and been otherwise subjected to great trouble, hardship and damage, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Indiana.

SPECIFICATION 2.—That on the day of in the year of our Lord one thousand eight hundred and thirty, a complaint was preferred before said Young L. Hughes, being then and there as justice of the peace as aforesaid, of the said county of Hendricks, in the name of the State of Indiana, by one Christopher Fowler of said county, against a certain Rogers, upon a charge of larceny, upon which complaint the said Rogers having been arrested and brought before him, the said Young L. Hughes, being then and there such justice of the peace as aforesaid, he proceeded to hear and determine said charge, and after having so heard it, did thereupon acquit and discharge the said Rogers of the charge of larceny, as aforesaid, and moreover at the same time proceeded to assess a fine of dollars against him, the said Rogers, for trespass, the collection of which was immediately enforced by him, for the amount of which he, the said Young L. Hughes, as such justice of the peace as aforesaid, has wholly failed to make any return to the proper authority, or to render an account therefor in any way whatever, to the person entitled to receive the same, but has wrongfully, corruptly and unlawfully, and with the intent to defraud the public, converted the same to his own use, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Indiana.

SPECIFICATION 3.—That on the twenty-ninth day of October, in the year eighteen hundred and thirty-one, an action of trover and conversion was instituted by the aforesaid Hiram Young as plaintiff, against the said Thomas J. Walker as defendant, before the said Young L. Hughes, being then and there such justice of the peace as aforesaid, for a certain bay gelding of the value of twenty dollars, alleged to be the property of him, the said Hiram Young, which action was made returnable, and came on to be heard before the said Young L. Hughes, as such justice of the peace as aforesaid, on the

fifth day of November last past, at the house of the said Young L. Hughes in the county aforesaid, that upon the return of the process in said case, and previous to the calling of the cause for trial, the said Thomas J. Walker as the defendant in said suit, made an application to the said justice Hughes for a change of venue therein, to some other justice of the peace, and to entitle him to such change, submitted to the said justice Hughes a paper in the form of an affidavit, setting forth that owing to the prejudice of said justice Hughes, he verily believed he would not receive a fair trial, before him the said justice Hughes in said case, and then and there offered and requested of him, the said justice Hughes, to be sworn to the same, at the same time tendering and offering to pay to the said justice Hughes, the full amount of the costs of such change of venue, which the said justice then and there intimated the said defendant Walker could have, unless a jury should be demanded by the plaintiff Young: upon which intimation of said justice; the said plaintiff Hiram Young instantly demanded a jury to be summoned to try the case; whereupon the said justice overruled the application of the said Walker for a change of venue, and directed the constable in attendance, William Davidson to summon a jury instantler, to try the case, which the said constable proceeded forthwith to do—that the said defendant Walker then renewed his application to the said justice Hughes for a change of venue in said case, and in support of it offered to make oath that owing to the undue advantage which the said Hiram Young possessed over him in the township, he verily believed he would not receive a fair trial before said justice Hughes, in said case, at the same time frequently repeating his offer to pay all expenses which would be caused by such change; which application was also overruled by the said justice, he observing that it was *then* too late to make *the* application, upon which the said justice Hughes immediately proceeded to cause a jury to be empannelled and sworn to try the cause, sent them out from before him, and then proceeded to swear sundry witnesses on behalf of the parties, all of whom were by him forthwith sent out to said jury to be examined by them alone and not in his the said justice's presence, assigning as a pretext for so doing that as the said defendant Walker had presented objections to him sitting to hear and determine the case, he wished to have as little to do with it as possible, and therefore wished to leave it to the exclusive consideration and decision of the jury, although he occasionally went out to where the jury were sitting and gave instructions to them upon the law arising in the case, that the said trial resulted in the jury finding a verdict against the said defendant Walker for twenty dollars the full amount of the said plaintiff's demand, an entry of which verdict was immediately made by the said justice Hughes upon his docket; and upon which verdict without having first rendered and entered up a judgment against the said defendant Walker, he forthwith proceeded to issue a writ of *fiery facias* against

the property of the said Walker and caused the same to be placed in the hands of William Davidson a constable of said county of Hendricks, who was forthwith proceeding to coerce the collection of the same by law, but was presented from so doing by the said defendant Walker taking an appeal to the said Hendricks circuit court which is yet pending and undetermined; which several acts and proceedings of him the said Young L. Hughes being then and there such justice of the peace as aforesaid were done wilfully, maliciously, wickedly and corruptly, and with the express design and intent to vex, injure, and oppress him the said Thomas J. Walker, and whereby he the said Walker has been greatly injured harrassed and oppressed and been subjected to great trouble, hardship and expense, contrary to the form of the statute in such case made and provided and against the peace and dignity of the said State of Indiana.

SPECIFICATION 4.—That on the day of last past a writ of *fiery facias* was issued by one Christian Hartman, then and there a justice of the peace in and for the county of Hendricks aforesaid, in favor of one Jonathan Williams, against one James Pennington for the sum of fifty five dollars or thereabouts, besides costs of suite; which writ of execution was then and there delivered to William Davidson a constable of said county of Hendricks to be executed according to law; that after this and whilst the said writ of execution was in the hands of said constable, the same being unsatisfied and in full force and effect, the said Young L. Hughes being then and there such justice of the peace as aforesaid, and having full knowledge of the premises, did issue another writ of *fiery facias* in favor of one Higgins for about the sum of fifty dollars and costs against the said James Pennington, and with the corrupt and fraudulent design to make the said last named writ of execution overreach, and take precedence of the execution in said constable's hands, in favor of the said Jonathan Williams, did fraudulently and corruptly antedate the same giving to it a date elder to that of the said Williams's, and thereupon delivered the same into the hands of the said constable, with instructions that the same was entitled, as regarded the execution of the said Williams, to precedence, and that he the said constable must proceed to collect the amount of it previous to collecting the execution of Williams, all of which was done wilfully, fraudulently and corruptly, and with the express design to cheat and defraud the said Jonathan Williams out of his said debt, contrary to the statute in such case made and provided and against the peace and dignity of the said state of Indiana.

SPECIFICATION 5.—That on the fourteenth day of April, in the year eighteen hundred and thirty, a complaint was preferred before the said Young L. Hughes, being then and there a justice of the peace for the county of Hendricks aforesaid, in the name and on behalf of the state of Indiana, by Elizabeth Gibson against one Polly

Dent, wife of Walter Dent of the county aforesaid, for an assault and an assault and battery charged to have been committed by the said Polly Dent upon the said Elizabeth Gibson, upon which charge the said Polly Dent was arrested and brought before the said Young L. Hughes, being then and there such justice of the peace as aforesaid, who, after having heard the said complaint and the proof adduced in support of it, adjudged that the state of Indiana recover of the said Polly Dent one dollar and cost of suit, to be made out of the goods and chattels of Walter Dent or Polly Dent his wife, the collection of which fine so assessed, he the said Young L. Hughes, as such justice of the peace as aforesaid, proceeded to enforce by due course of law; but of which he has wholly failed and neglected to make any return, or to account for, according to the provisions of the statute in such case made and provided; but on the contrary, has corruptly and fraudulently, and with intent to defraud the public out of the same, appropriated and converted the same to his own private use. And so the said House of Representatives say, that the said Young L. Hughes, being such justice of the peace as aforesaid, was and is guilty of corruption, oppression and mal-feasance in his said office of justice of the peace of the county of Hendricks, and State aforesaid, as charged in the preceding article and specifications, contrary to the constitution and laws of the State aforesaid, and against the peace and dignity of the same.

Which report and articles of impeachment were accompanied by the following resolution, viz:

Resolved, That this House agree to the said articles of impeachment, and that _____ be appointed as managers on behalf of this House to exhibit the same to the Senate, and to demand that the said Young L. Hughes be required to appear before that body as a high court of impeachment to answer to the same; and to manage the trial thereof before the said court, and to learn of the Senate at what time it will be convenient for them to enter into the said trial.

On motion, it was

Ordered, That the blank in said resolution be filled with the names of Messrs. Thornton, Livingston, Finch, Bryant, Cravens, Angle and Moore—and

The question being put

‘Shall said resolution be adopted?’

It passed in the affirmative.

Whereupon,

The Speaker signed said articles of impeachment.

Mr. Hanna from the select committee to which was referred a resolution of the House on that subject, reported a memorial to the Congress of the United States, and joint resolution of the General Assembly of the State of Indiana, relative to the extinguishment of Indian title to lands within the said State.

Which was read the first time and passed to a second reading.

Mr. Angle from the select committee to which was referred the report of the committee on the judiciary on the subject of the jurisdiction of justices of the peace, with instructions to bring in a bill limiting their jurisdiction in civil cases to their respective townships, reported in pursuance of such instructions, a bill to amend an act entitled "an act regulating the jurisdiction and duties of justices of the peace,"

Which was read the first time and passed to a second reading.

On motion of Mr. Willet,

Ordered, That Mr. Noble have leave of absence from the service of the House for and during the period of two days.

Mr. Davis moved the following resolution:

Resolved, That a select committee be appointed to draft a memorial and joint resolution to Congress praying a donation of money or land to assist in making navigable the Wabash and White rivers;

Mr. Murray moved to amend the same by inserting therein after the word "Wabash," the word "Mississinewa;"

Which was accepted by Mr. Davis as a modification of the resolution;

Mr. Proffit then moved to amend said resolution by inserting after the word "Mississinewa," the word "Patoka:"

Which motion passed in the affirmative.

Mr. Tebbs moved further to amend said resolution by inserting after the word "Patoka" the words "White water,"

Before the question was put thereon, it was

On motion of Mr. Crumpton,

Ordered, That said resolution and proposed amendment do lie on the table.

Mr. Hoover moved the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for called sessions of the circuit court—and

On the question of its adoption,

It was decided in the negative.

Mr. Angle moved the following resolution:

Resolved, That the committee of elections be instructed to enquire into the expediency of so altering the law regulating General elections as to give a longer time than one day for receiving votes at the county seat in each county, and of allowing additional compensation to Judges and Clerks of elections,

Which was read, and

On motion of Mr. Vawter,

Ordered, That the same be laid on the table.

Mr. Morris moved the following resolution,

Resolved, That the committee of ways and means be instructed to inquire into the propriety of requiring collectors to put up at three or more of the most public places in their respective counties within twenty days from the close of sale, a complete list of delinquent lands by him sold for the taxes thereon, which list shall contain the names of the persons to whom the land was assessed, a designation of the land, the amount of taxes and costs thereon, the name of the purchaser and the amount for which each tract of land was sold;

Mr. Crumpton moved to amend the same by inserting after the word "counties" the following "and in some newspaper in said county if there be one printed therein."

Mr. Cravens moved that the further consideration of said resolution and proposed amendment be indefinitely postponed.

Before the question was put thereon,

A motion was made by Mr. Hargrove to lay said resolution and proposed amendment on the table,

Which was decided in the negative.

The question being then put on the motion made by Mr. Cravens to postpone indefinitely;

It was decided in the negative.

The question recurred on the amendment moved by Mr. Crumpton,

And being put,

It was decided in the negative.

On motion of Mr. Vawter,

The said resolution was amended by inserting after the word "assessed" these words "if known"—and

Before the vote was taken on said resolution,

The House adjourned until two o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment, and

Resumed the consideration of the resolution moved by Mr. Morris, depending at the last adjournment;

Mr. Vawter moved further to amend said resolution by striking out all after the word "resolved" and inserting in lieu thereof the following:

"That the committee of ways and means be instructed to enquire into the expediency of requiring the Board of county commissioners in each county to have a list of all lands and town lots sold for taxes in each year, made public by having a manuscript copy of the same set up in the most public place in the townships where the lands or lots sold, are situate within thirty days after sale thereof giving the

name of the owner if known—designating the tract of land or lot sold and to whom sold, all certified by the Clerk of the board of said county and posted up by the sheriff of the proper county in presence of two witnesses;”

The question was put on said proposed amendment;

And decided in the negative—and

The question recurring on the adoption of said resolution as amended:

It passed in the affirmative.

On motion of Mr. Henley,

Resolved, That the committee on education be instructed to enquire what amendments if any are necessary to the act entitled “An act to establish a college in the State of Indiana” with permission to report amendments to the charter of said college if necessary.

A message from the Senate by Mr. Morris their Assistant Secretary;

Mr. Speaker,

The Senate has passed an engrossed bill entitled “An act to incorporate the Greenwood education society,” in which the concurrence of the House of Representatives is requested.—

The bill named in said message was read the first time and passed to a second reading:

Another message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the following titles to wit:

“An act to authorize the Marion circuit court to hold a special session.”

“An act to provide suitable compensation for non resident witnesses in criminal cases.”

“An act to repeal an act entitled “An act for the relief of certain purchasers of lands in the reserved township in Monroe county” approved February 1, 1831.—Also

A joint resolution of the General Assembly for the relief of Daniel Pattengill and—

A joint resolution of the General Assembly soliciting from Congress a donation of lands to actual settlers in indigent circumstances.

In which bills and joint resolutions the concurrence of the House of Representatives is requested.

The bill first named in said message was three times read (the rules of the House having first been dispensed with) and passed;

Ordered, That the Clerk inform the Senate thereof.

The bills secondly and thirdly in said message named, and the

joint resolutions therein named, were severally read the first time and passed to a second reading.

Mr. Stevenson moved the following resolution:

Resolved, That a select committee be appointed with instructions to enquire into the expediency of reviving so much of the "Act" regulating the mode of doing county business "approved January 31st 1824" as provides "that there shall be a county board of justices established in each and every county in this State for the purpose of transacting county business;

The question being put,

Shall said resolution be adopted?

It was decided in the negative.

On motion of Mr. Bryant,

Resolved, That the judiciary committee be requested to enquire into the expediency of reporting a bill making it the duty of all persons who may commence any suit at law in this State upon any book, or other unsettled accounts, to produce all such accounts as may be due and unpaid between the parties litigant at least days before the trial, and never afterwards.

Mr. Livingston moved the following resolution.

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending so much of the 17th and 18th sections of an "Act, entitled an Act" for assessing and collecting the revenue (approved February 10th 1831) as provides for the appointment of collectors—and making it the duty of the Sheriff of their proper counties to collect the State and county revenue and that they report by bill or otherwise—and

The question being put on its adoption,

It was decided in the negative.

Mr. Davis after having obtained leave presented a joint resolution relative to the navigation of the Wabash and White rivers;

Which was read the first time and passed to a second reading.

Mr. Wallace after having obtained leave presented a memorial and joint resolution of the General Assembly of the State of Indiana relative to the Louisville and St. Louis mail route;

Which was read the first time and passed to a second reading.

Mr. Baber after having obtained leave presented a bill to establish a State road from Fredericksburgh in Washington county to Terre-Haute in Vigo county;

Which was read the first time and passed to a second reading.

Mr. Morris after having obtained leave presented a bill concerning lotteries:

Which was read the first time and passed to a second reading.

Mr. Smiley after having obtained leave presented a bill to amend the act entitled "An act relative to county boundaries" approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Conner to whom leave of absence was granted on Saturday last again appeared and took his seat.

Mr. Rose after having obtained leave presented a bill to alter and establish the lines of the counties of Wayne, Union, Fayette, and Henry;

Which was read the first time; when

Mr. Steele moved to reject said bill and,

Before the question was put thereon;

The House adjourned until to-morrow morning at nine o'clock.

TUESDAY MORNING, DECEMBER 27, 1831.

The House met pursuant to adjournment.

Mr. Davis presented a petition of the trustees of the Sullivan county seminary and of citizens of said county, praying authority to build their seminary on the public square in Carlisle;

Which was read and referred to a select committee of Messrs. Davis, Crumpton and Flake.

Mr. Peyton presented a petition of sundry citizens of the county of Clay, and a petition of sundry citizens of the county of Putnam, severally praying that part of Putnam county may be attached to Clay;

Which was read and referred to a select committee of Messrs. Peyton, Secrest and Wallace.

Mr. Livingston presented a petition of citizens of Lawrence county, and a petition of citizens of Greene county, severally praying a state road from Wood's ferry in Lawrence county, to intersect the Bono and Terre-Haute state road, at a convenient point;

Which were read and referred to a select committee of Messrs. Livingston, Lynd, Cox and Baber.

Mr. Maxwell presented a remonstrance of sundry citizens of Jefferson county, against a change in that part of the Madison and Indianapolis state road lying in the said county of Jefferson;

Which was read and referred to the committee on roads.

Mr. Livingston presented a petition of sundry citizens of Greene

county, praying an act to aid them in putting their county Seminary into operation;

Which was read and referred to the committee on education.

Mr. Williams presented a petition of John Peyton jr. and others, praying a state road from New Albany to Jeffersonville, and for an appropriation of money thereon;

Which was read and referred to the committee on roads.

Mr. Bryant presented a petition of William T. Noel and others, citizens of Parke county, praying a change in the state road from Rockville to Montezuma; and a remonstrance of A. S. Cowen and others, citizens of the same county against such change;

Which were read and referred to a select committee of Messrs. Bryant, Gardner and Stevenson.

Mr. Brady presented a petition of James Duncan of Marion county, praying an alteration in the Indianapolis and Lafayette state road, with two accompanying certificates;

Which were read and referred to the committee on roads.

Mr. Thornton made the following report:

The judiciary committee to which was referred the memorial of Matthew Borland of the county of Lawrence, charging Alfred J. Athon, a justice of the peace of the said county, with corrupt, illegal and oppressive conduct in his said office of justice of the peace, and praying an enquiry into the same, have had the subject under consideration, and have come to the opinion that the said Alfred J. Athon has been and is guilty of an abuse of his power and authority as such justice of the peace as aforesaid, by arbitrarily fining and imprisoning the said Matthew Borland, for a supposed contempt of said justice's authority, and that the proper enquiry ought to be instituted into the same by this House, in consummation of which object they respectfully submit the following resolution for the adoption of this House. viz:

Resolved, That the judiciary committee of this House be directed to enquire into the official conduct of Alfred J. Athon, a justice of the peace of the county of Lawrence, and that the said committee be authorised and empowered to use process issued by the authority of this House, to compel the attendance of the necessary witnesses, before them, and when produced before them to examine the said witnesses under oath or affirmation, to be administered to such witnesses through the chairman of said committee, and that they report the result of such examination and enquiry to this House;

Which said resolution was read and agreed to by the House.

Mr. Thornton from the same committee to which was referred a resolution of the House, directing them to enquire whether any, and

what amendments are necessary to the act concerning vagrants; reported that it was inexpedient to legislate upon that subject;

Which report was read and concurred in by the House.

Mr. Thornton from the same committee to which was referred a resolution of the House, directing them to enquire into the expediency of amending the law, so that qualified voters of this State may vote any where within its limits for electors of President and Vice President of the United States under certain restrictions; reported that it is inexpedient to legislate on that subject;

Which report was read and concurred in.

Mr. Thornton from the same committee to which was referred a resolution of the House directing an enquiry into the expediency of amending the act for the appointment of county surveyors, and their deputies, so that the owners of land (where a surveyor shall be called upon to perpetuate any corner or corners,) shall be liable for the cost in proportion to the number of acres they hold; reported that it is inexpedient to legislate on that subject;

Which report was read and concurred in.

Mr. Thornton from the same committee to which was referred a resolution of this House, directing an enquiry into the expediency of so amending the law "*relative to crime and punishment*," as to make all voluntary prosecutors in cases of petit misdemeanors, liable to costs where the defendants shall be acquitted, unless the court shall be of opinion that there were reasonable grounds for instituting the prosecution; reported that in the opinion of the committee, it is inexpedient to legislate on that subject;

Which was read, when

Mr. Cravens moved to refer the same to a select committee;

Which motion passed in the affirmative.

Ordered, That Messrs. Cravens, Bell and Decker be appointed that committee.

Mr. Ferguson from the judiciary committee to which was referred a resolution of the House, directing them to enquire into the expediency of reporting a bill, requiring no religious test to make a witness competent, reported a bill to make certain witnesses competent;

Which was read the first time and passed to a second reading.

Mr. Cravens from the judiciary committee to which was referred a resolution of this House, requiring said committee to enquire into the expediency of so amending the 22d and 25th sections of the law regulating the jurisdiction and duties of justices of the peace as to permit such justices to issue summon's returnable in not less than three, nor more than *thirty* days;—and to grant continuances not exceeding *thirty* days, unless by consent of both parties, or as is other-

wise provided in said law; reported a bill to alter and amend the 22d and 25th sections of the law regulating the jurisdiction and duties of justices of the peace, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Thornton from the judiciary committee to which was referred the resolution of this House, directing an enquiry into the expediency of legalizing the proceedings of the Probate Court, held under the provisions of the act of the last General Assembly, so far as it concerns the time when the said court may have held their session, longer than one day at their regular terms thereof, reported that it is inexpedient to legislate on that subject, inasmuch as there is a bill now depending in the House, in which a similar provision is contained;

Which report was read and concurred in.

Mr. Thornton from the same committee to which was referred the petition of the heirs at law of Zachariah Puckett deceased, praying an act to authorize Isom Puckett to convey certain real estate of the deceased, reported that as the Probate Court has ample jurisdiction of the subject matter, it is therefore inexpedient to legislate on that subject;

Which report was read and concurred in.

Mr. Morris from the committee on the affairs of the town of Indianapolis, to which were referred the report of the Agent of State and the accompanying papers, reported that they have had under consideration so much thereof as relates to the expenditures for surveying, marking, &c. (marked A.,) and recommend that E. Sharpe Agent of State for the town of Indianapolis be allowed, in the specific appropriation bill, the sum of three hundred and ninety-one dollars and thirty-one cents, for expenses incurred in surveying, marking and mapping the lands belonging to the state, adjoining the town of Indianapolis, agreeably to the provisions of an act of the last session of the General Assembly, approved February 9, 1831;

Which report was read and concurred in by the House.

Mr. Gardner made the following report;

The committee on the affairs of the town of Indianapolis to which was referred, so much of the Governor's message as relates to sale of lots at the seat of government and the building of a State House, have had the same under their consideration and directed me to report the following resolution:

Resolved, That the committee on the affairs of the town of Indianapolis be discharged from the further consideration of so much of the Governor's message as relates to the building of a State House and that the same be referred to the joint committee on public buildings;

The said resolution was read and agreed to by the House.

Mr. Culley from the select committee to which was referred the petition of citizens of Lawrenceburgh on that subject, reported a bill to incorporate the Lawrenceburgh insurance company;

Which was read the first time and passed to a second reading.

Mr. Vawter made the following report:

The select committee to whom was referred the petition of John Boner (and other citizens) after a full examination of all matters and things exhibited in the prayer of said petition—with the accompanying documents and vouchers, are unanimously of opinion that the prayer of said petitions is reasonable, and ought to be granted, and earnestly desire that this House concur in the views of said committee—the said report was accompanied by a bill for the relief of John Boner of Jennings county;

Which was read the first time and passed to a second reading.

Mr. Steele moved the following preamble and resolution:

Whereas there appears to be some difficulty and difference of opinion existing in the lower House of the General Assembly of this State in relation to the constitutionality of reducing the bounds of old counties within the same, which difference of opinion appears to cause some delay, and retard the progress of the present Legislature—for remedy whereof,

Resolved, That in the opinion of this House it would be a violation of the constitution of this State to reduce any old county within the same to less bounds than 400 square miles;

Which was read, when

Mr. Stanford moved to amend the same by adding thereto these words, "in the formation of any new county;"

Mr. Hoover moved to amend said amendment by adding thereto the following "or by adding to a new county formed since the adoption of the present constitution;"

Before the question was put thereon, It was

On motion of Mr. Stevenson,

Ordered, That said resolution and proposed amendments do lie on the table.

The House then resumed the consideration of the bill to alter and establish the lines of the counties of Wayne, Union, Fayette and Henry, depending when the House adjourned last evening, when

Mr. Steele withdrew his motion to reject the same—It was then

Ordered, That said bill do pass to a second reading.

Mr. Proffit, after having obtained leave, presented a bill to aid the citizens of Pike county to build a bridge across Patoka and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Wooden, after having obtained leave, presented a bill to amend

an act entitled "an act to organize and regulate the militia of the state of Indiana," approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Murray, after having obtained leave, presented a bill authorizing Hiram Todd, of Logansport, to expend certain monies heretofore appropriated on the state road from Lafayette, via Delphi and Logansport, to Fort Wayne;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

Mr. Flake, after having obtained leave, presented a bill declaring Hogan creek, in Dearborn county, a public highway;

Which was read the first time and passed to a second reading.

Mr. Morris, after having obtained leave, presented a bill amendatory of the "act organizing circuit courts and defining their powers and duties," approved January 24, 1831;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day:

On motion of Mr. Hoover.

The several orders of the day which precede the engrossed bill from the Senate, for the formation of the county of Laporte and for other purposes, were for the present postponed.

The committee of the whole to which said bill was committed, were

On motion of Mr. Hoover,

Discharged from the further consideration thereof.

The rules of the House then being dispensed with, the said bill was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Culley,

The several orders of the day which precede the engrossed bill amendatory of the act entitled "an act to organize Probate Courts, and defining the powers and duties of executors, administrators and guardians," approved February 10, 1831, were for the present postponed.

The said bill was then read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed joint resolution from the Senate, on the subject of the saline reservations was read the second time and ordered to be read a third time to-morrow.

The bill to authorize John Lung and William Sill to apply for a writ of *ad quod damnum* to erect a mill dam on Tippecanoe river, was read the second time, and

On motion of Mr. Thornton,

The same was amended by striking out so much thereof as describes the land on which said dam is authorized to abut.

Ordered, That said bill be engrossed and read a third time on to-morrow,

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

The bill to prevent the sale of ardent spirits to the Indians,

The bill to establish a state road from the county seat of Grant to the county seat of Elkhart,

The bill to locate a state road from Terre-Haute, by way of Rockville, to Crawfordsville,

The bill to change a part of the state road leading from Indianapolis, via Danville and Rockville, to Montezuma,

The bill to locate a state road from Connersville, in Fayette county, to Raysville in Henry county,

The joint resolution providing for the erection of a tomb-stone over the grave of the late Theodore C. Cone deceased,

The bill authorising a distribution of the money now due to road number eight, and for other purposes,

The bill to amend an act entitled "An act establishing certain state roads therein named and for other purposes," approved February 10, 1831,

The bill for the benefit of William C. Bramwell,

The bill providing for a relocation of a part of the Fort Wayne state road,

The bill to repeal an act entitled "An act to authorise the board of justices of Bartholomew county to levy an additional tax," approved January 6, 1829,

The bill to amend an act entitled "An act to provide for the location of certain state roads therein named," approved February 10, 1831,

The bill to legalize the proceedings of the school trustees of congressional township number 5 north, of range 4 east, in Jackson county,

The bill to authorize the board of commissioners of Floyd county to contract for keeping and taking care of paupers in said county, and

The bill to incorporate the Fredericksburgh bridge company,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill to authorize the location of a state road commencing at the Ohio state line at a point where the Bellefontaine state road in-

tersects the state line of Indiana, to the north boundary of the state in a direction to White Pigeon, in the territory of Michigan;

The bill to locate and open a state road from Napoleon in Ripley county, to Brookville in Franklin county,

The bill to locate a state road from New Albany to Lexington, and

The bill supplemental to an act providing means for the construction of the Wabash and Erie canal,

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The joint resolution relative to the 3 per cent. fund, was read the second time,

Mr. Slaughter moved to amend the same by inserting therein, after the clause which provides for the payment of their proportions to the respective road commissioners by the agent of said fund, these words "or to the representatives from their respective districts,"

Which motion passed in the affirmative.

On motion of Mr. Parks,

The said joint resolution was further amended by inserting in the first clause thereof between the words 'road' and 'commissioners' these words "and bridge."

Mr. Morris moved further to amend the same by inserting after the word 'bridge' these words "river and creek,"

Before the question was put thereon,

It was,

On motion of Mr. Slaughter,

Ordered, That said bill be committed to a committee of the whole House for to-morrow.

The bill to amend an act dividing the State into judicial circuits, and fixing the times of holding courts therein;

Was read the second time and committed to a committee of the whole House for Monday next.

The bill to amend the act entitled "An act to establish a state road from Lake Michigan via Indianapolis to some convenient point on the Ohio river,"

Was read the second time,

Mr. Vawter moved to commit it to a committee of the whole House for Friday next;

Before the question was put,

A motion was made by Mr. Robinson to lay said bill on the table;

Which was decided in the negative;

The question recurred on the motion of Mr. Vawter to commit, and

Before it was put

Mr. Thornton moved to amend said motion so as to direct that 150 copies of said bill be printed for the use of the members of this House.

Which motion was decided in the negative.

The question then being put on said motion to commit,
It passed in the affirmative.

The bill to provide for changing a part of the state road leading from Indianapolis by way of Danville and Rockville to Montezuma was read the second time,

On motion of Mr. Gardner,

The rules of the House were dispensed with, and

The said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The bill to revive a certain state road therein named, and for other purposes;

Was read the second time, when

Mr. Griggs moved that it be committed to a committee of the whole House for to-morrow;

Before the question was put thereon,

Mr. Proffit moved that the further consideration of said bill be indefinitely postponed;

Which motion was decided in the negative, and

The question being put on the motion to commit the same,

It passed in the affirmative.

And then the House adjourned until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, DECEMBER 28, 1831.

The House met pursuant to adjournment.

Mr. Hoover presented a petition of Samuel Schoolfield and others, inhabitants of the town of Dublin, praying a change in part of the State road from Lafayette to Milton;

Which was read and referred to a select committee of Messrs. Hoover, Grover and Stanford.

Mr. Conner presented a petition of sundry citizens of Hamilton and Marion counties, praying a relocation of part of the Winchester and Fort Wayne State roads;

Which was read and referred to a select committee of Messrs. Conner, Bell and Jones.

Mr. Mastin presented a petition of sundry citizens of Marion, Hendricks and Boone counties, praying a change in the eastern end of the Indianapolis and Crawfordsville State road, and a remonstrance

of sundry citizens of Montgomery, Boone, Hendricks and Marion counties against such change;

Which were read and referred to the committee on roads.

Mr. Alley presented a petition of sundry citizens of Shelby county, praying that a part of the territory of said county may be attached to Decatur;

Which was read and referred to a select committee of Messrs. Alley, Henderson, and Willet.

Mr. Brady presented a claim of Dunlap and McDougal against the State of Indiana for sundry articles furnished;

Which was read and referred to the committee on claims.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

I am instructed to inform the House of Representatives that the Senate has adopted the following Resolution, viz:

Resolved, That the Senate will on Monday the second day of January next, sit as a court of Impeachment for the purpose of hearing, examining, and deciding upon the charges exhibited by the House of Representatives in the name and behalf of the people of the State of Indiana against Young L. Hughes a justice of the peace of the county of Hendricks—that the President of the Senate be authorized and requested to issue all such process and orders to be executed by the Serjeant at arms of the Senate on the accused, accusers and witnesses as may be deemed proper and necessary and that the House of Representatives be informed of the adoption of this resolution.

Mr. Hargrove from the committee of elections to which was referred a resolution of the House on that subject, reported a bill to provide for the election of electors of President and Vice President of the United States;

Which was read the first time and passed to a second reading.

Mr. Moyer from the committee of elections to which was referred so much of the Governor's message as relates to the formation of Congressional districts, reported that it is inexpedient to legislate on that subject at this time;

Which report was read and concurred in by the House.

Mr. Cotton from the committee of ways and means to which was referred a resolution of the House directing an enquiry into the expediency of so amending the law, that in all transfers of real estate it shall be the duty of the Recorder to enter the name of the purchaser on the assessment roll in place of the grantor at the time he records

the deed, reported a bill to amend "An act for assessing and collecting the revenue" approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Cotton from the same committee, to which was referred so much of the message of the late Governor as relates to the bank of the United States, reported that there is now before this House a joint resolution from the Senate on that subject, and asked to be discharged from the further consideration of the same.

Ordered, That said committee be discharged accordingly.

Mr. Cotton from the same committee to which was referred a resolution of the House directing an enquiry into the expediency of adopting the *ad valorem* system of taxation reported that, as the committee understand the subject, the country is too new to adopt that system, and asked to be discharged from the further consideration of the same;

Which was read, and

On motion of Mr. Robinson,

Ordered, That said report do lie on the table.

Mr. Thornton made the following report:

The judiciary committee to which was referred the petition of John Foster and others, citizens of Hancock county praying for the passage of a law legalizing the official acts of John Ogg an associate Judge of said county, who was elected on the first Monday in August last to fill the vacancy occasioned by the resignation of James B. Stephens, upon the ground that the said election was held without any writ of election having been previously issued by the authority of the executive of this State, authorising the same, have had the same under consideration and have come to the opinion that no legislative enactment as prayed for by said petitioners, is necessary to give validity to the official proceedings of the said Ogg, inasmuch as, in the opinion of said committee, the authority which gives the said Ogg the right and power to act as such associate Judge could not be derived from such writ of election, had the same been regularly issued, but is conferred by his commission which it appears has been issued to him by the Governor predicated upon the return to the Secretary's office of his election to that office at the late general election as above mentioned. Independent however, of the reasons here suggested by your committee, they cannot perceive in what way the validity of the acts and official proceedings of even an officer *de facto* can be brought in question, so far at least as regards their operation upon other individuals, although such officer might himself become the proper subject of prosecution for usurpation;

Which report was read and concurred in by the House.

Mr. Logan from the committee on claims to which was referred the petition of George A. Phelps praying indemnity for monies by him

collected of lands improperly assessed in the county of Morgan, and paid into the State treasury in the years 1826 '7 and 8, the amount of which he has since had to refund out of his own money, reported that the committee are of opinion that said George A. Phelps ought to be allowed the sum of twenty five dollars and recommend the adoption of the following resolution:

Resolved, That the committee of ways and means be directed to allow to George A. Phelps in the specific appropriation bill, the sum of twenty-five dollars;

Which said resolution was read and agreed to by the House.

Mr. Henderson from the select committee to which was referred the petition of citizens of Wayne county, on that subject, reported a bill to incorporate the Richmond, Eaton and Miami rail-road company;

Which was read the first time and passed to a second reading.

Mr. Peyton from the select committee to which were referred petitions of citizens of Clay and Putnam counties on that subject, reported a bill to attach a part of the county of Putnam to the county of Clay;

Which was read the first time and passed to a second reading.

Mr. Morris from the joint committee on enrolled bills, reported, that they had compared the enrolled with the engrossed bill entitled, "An act to authorise the Marion circuit court to hold a special session," and found the same truly enrolled;

Whereupon,

The Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Alley from the select committee to which was referred a petition of sundry citizens of Decatur county on that subject, reported a bill to incorporate the Decatur county seminary;

Which was read the first time and passed to a second reading.

Mr. Slaughter from the select committee to which was referred the petition of Lydia Booker, reported a bill to divorce Lydia Booker from her husband Richard M. Booker;

Which was read the first time and passed to a second reading.

Mr. Profit from the select committee to which was referred the petition of citizens of Pike county on that subject, reported a bill to authorize the trustees of the seminary fund of Pike county, to loan said fund to the board of commissioners of said county and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Hoover moved the following resolution:

Resolved, That a select committee be appointed to enquire into the expediency of providing by law for the opening of an additional election precinct in all the townships in the county of Wayne, where more than five hundred votes are usually taken; and also take into consideration the expediency of allowing additional compensation to judges and clerks of elections;

Which was read, and

On motion of Mr. Angle,

The first clause thereof was so amended as to extend its provisions to the county of Montgomery—and

On the question to adopt said resolution, as amended,

It passed in the affirmative,

Ordered, That Messrs, Hoover, Stanford and Aker be that committee.

Mr. Davis moved the following resolution:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of reporting a bill appropriating a sufficient sum of money to furnish the Governor's house with such substantial and principal articles of furniture as may comport with the dignity of the Governor of the State of Indiana.

Mr. Hoover moved to amend the same by inserting before the words, "the Governor's house," these words, "a part of";

Which motion passed in the affirmative.

On motion of Mr. Cotton,

The said resolution was further amended by adding thereto the following—"to be paid out of the Indianapolis fund."

Mr. Stevenson moved further to amend the resolution by striking out all after the word "expediency" and inserting in lieu thereof the following, "of putting the Governor's house into his possession";

Which motion was decided in the negative.

Mr. Thornton moved to strike out the words "of ways and means," and to insert instead thereof the words "on public buildings."

Before the question was put thereon,

A motion was made by Mr. Logan to lay said resolution and proposed amendment on the table; and

While the question thereon was depending,

The House adjourned until two o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment, and

Resumed the consideration of the resolution moved by Mr. Davis, relative to furnishing the Governor's house, depending at the last adjournment.

The question recurring on the motion made by Mr. Logan to lay said resolution and proposed amendment on the table—and

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Baber, Bell, Cotton, Cravens, Decker, Ferguson, Hargrove, Heaton, Henderson, Henley, Hite, Logan, Lynd, Moyer, Parks, Polke, Stanford, Steele, Stevenson, Tebbs, Williams, and Wooden—22.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bonner, Brady, Bryant, Casey, Clark, Clawson, Conner, Cox, Crume, Crumpton, Culley, Davis, Durham, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Hoover, Jones, Livingston, Mastin, Maxwell, Morris, Murray, Nelson, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Rudick, Secrest, Slaughter, Thornton, Vawter, Wallace, Willet, and Moore, Speaker—46.

And so said motion was decided in the negative.

The question then recurred on the amendment proposed by Mr. Thornton, and

Being put,

It was decided in the negative.

Mr. Davis moved further to amend said resolution, by adding thereto the following, "or state treasury";

Which motion was decided in the negative.

Mr. Steele moved to reconsider the vote taken on the motion made this morning by Mr. Hoover, to amend said resolution by inserting the words "a part of," before the words "the Governor's house,"

Which motion to reconsider was decided in the negative.

Mr. Steele moved that the resolution be further amended so as to make it imperative on the committee to bring in a bill, instead of enquiring into the expediency of so doing;

Which motion was decided in the negative.

Mr. Lane then moved further to amend said resolution by striking out the same from the resolving clause, and inserting in lieu thereof the following:

"That the committee on public buildings be requested to enquire into the expediency of removing the house now standing on the Governor's circle, and that the ground where said house now stands be set apart for building a State House, and that the Governor's house be applied as materials towards building a State House."

Mr. Stanford moved to amend said amendment by striking out therefrom all after the word "expediency," and inserting in lieu thereof the following: "of disposing of the Governor's circle, and house for the best possible price, to be appropriated to the building of a State House."

Before the question was put thereon,

A motion was made by Mr. Wooden to lay said resolution and proposed amendments on the table:

Which was decided in the negative.

Mr. Angle then moved that the further consideration of said resolution and proposed amendments be indefinitely postponed;

And the ayes and noes being required thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Baber, Bonner, Clawson, Cotton, Cox, Cravens, Decker, Finch, Flake, Hanna, Hargrove, Heaton, Henderson, Henley, Hite, Livingston, Logan, Lynd, Morris, Moyer, Paddacks, Polke, Rose, Secrest, Stevenson, Tebbs, Williams and Wooden—30.

And those who voted in the negative are,

Messrs. Alley, Bell, Brady, Bryant, Casey, Clark, Conner, Crume, Crumpton, Culley, Davis, Durham, Ferguson, Frame, Gardner, Griggs, Grover, Harrod, Hoover, Jones, Lane, Mastin, Maxwell, Murray, Nelson, Parks, Peyton, Proffit, Reid, Reynolds, Robinson, Ruddick, Slaughter, Stanford, Steele, Thornton, Vawter, Wallace, Willet, and Moore Speaker—40.

And so said motion was decided in the negative.

The question recurred on the amendment proposed by Mr. Stanford to the amendment moved by Mr. Lane; and

Being put,

It was decided in the negative.

The question being then put on the said motion of Mr. Lane, to amend the resolution,

It was decided in the negative.

On motion of Mr. Frame,

Said resolution was further amended by striking out the word "principal" and inserting in its place the word "necessary;"

Mr. Brady moved a further amendment to said resolution, by striking it out from the word "resolved," and inserting in lieu thereof the following:

"That the committee of ways and means be directed to enquire into the expediency of authorizing the agent of State for the town of Indianapolis, to provide and furnish the house called the Governor's house, with plain, neat and suitable furniture, not exceeding in value dollars, to be audited by the auditor and paid by the treasurer, out of any monies in the treasury not otherwise appropriated."

Mr. Cotton moved to amend said amendment so as to provide for the payment of those expenses out of the *Indianapolis fund*, instead of the *State treasury*—and

Debate arising thereon,
The previous question was demanded by three members, and was put, viz:

‘Shall the main question be now put?’

Which said previous question passed in the affirmative.

The main question was then put, to wit.

‘Shall the resolution as amended be adopted?’

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Brady, Casey, Clawson, Conner, Crame, Crumpton, Culley, Davis, Frame, Gardner, Grover, Harrod, Hoover, Jones, Mastin, Murray, Peyton, Proffit, Reid, Reynolds, Se-crest, Slaughter, Vawter, Willet, and Moore, Speaker—28.

And those who voted in the negative are,

Messrs. Baber, Bell, Bonner, Bryant, Clark, Cotton, Cox, Cravens, Decker, Durham, Ferguson, Finch, Flake, Griggs, Hanna, Hargrove, Henderson, Henley, Hite, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Paddacks, Parks, Polke, Robinson, Rose, Ruddick, Stanford, Steele, Stevenson, Tebbs, Thornton, Wallace, Williams and Wooden—40.

And so said resolution as amended was not adopted.

And then the House adjourned until to-morrow morning at nine o'clock.

THURSDAY MORNING, DECEMBER 29, 1831.

The House met pursuant to adjournment.

Mr. Hoover from the joint committee of enrolled bills reported, that they did on yesterday present to the Governor for his approval and signature,

An act to authorize the Marion circuit court to hold a special session.

Mr. Stevenson presented a petition of Samuel Smith, indicted for larceny in Owen county, praying a change of venue to Putnam county;

Which was read and referred to a select committee of Messrs. Stevenson, Proffit and Polke.

Mr. Logan from the committee on claims to which was referred the

petition of Francis McClelland, reported a bill for the relief of Francis McClelland, of Marion county;

Which was read the first time and passed to a second reading.

Mr. Davis from the select committee to which was referred a petition on that subject, reported a bill relative to the Sullivan county seminary;

Which was read the first time and passed to a second reading.

Mr. Morris from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bill entitled "An act for the formation of the county of Laporte and for other purposes" and found the same truly enrolled;

Whereupon,

The speaker signed said bill,

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Bryant from the select committee to which were referred the petition and remonstrance of sundry citizens of Parke county relative to a certain State road in said county, reported that any legislation on that subject is unnecessary;

Which report was read and concurred in.

Mr. Livingston from the select committee to which was referred the petition of sundry citizens of Lawrence and Greene counties, reported a bill to provide for the location of a State road from Wood's ferry on the east branch of White river in Lawrence county to Bloomfield;

Which was read the first time and passed to a second reading.

On motion of Mr. Cotton,

Resolved, That the judiciary committee enquire whether county surveyors appointed under the provisions of the act of last session entitled "an act for the appointment of county surveyors and their deputies" can supersede those heretofore appointed and commissioned by the Governor to serve during good behaviour—and if not, to enquire into the expediency of repealing said act.

Mr. Livingston moved the following resolution:

Resolved, That the committee on roads be instructed to enquire into the expediency of so amending the 30th and 31st sections of the road law as to prevent persons living on any public road or highway from opening cart ways for their convenience to the next nearest public road or highway or plantations, or dwelling house, if the same runs through the lands of other persons to their injury, unless such applicant is the owner of land on such cart way, and said committee report by bill or otherwise;

And the question being put on its adoption,

It was decided in the negative.

On motion of Mr. Davis,

Resolved, That this house tender to the Senate the use of their Hall to be occupied by them during the time they may be sitting as a high court of Impeachment in the case of Young L. Hughes now pending before them, and that the Senate be informed of the adoption of this resolution.

On motion of Mr. Bryant,

Resolved, That the judiciary committee be directed to enquire whether any, and if any what amendment is necessary to be made to the law requiring resident plaintiffs to give security for costs, with leave to report by bill or otherwise.

Mr. Noble to whom leave of absence was given on Monday last now appeared and resumed his seat.

Mr. Cox after having obtained leave presented a bill to provide for a State road from Martinsville in Morgan county to Frankfort in Clinton county by the way of Cox's mill in Morgan county, Danville and New Pennsylvania;

Which was read the first time and passed to a second reading.

Mr. Finch after having obtained leave presented a bill amendatory of an act to provide for the location of certain State roads therein named, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Robinson after having obtained leave presented a bill to authorise and require the seminary Trustee of the county of Ripley and the treasurer of the Library of Ripley county to loan certain money within their control;

Which was read the first time and passed to a second reading.

Mr. Wooden after having obtained leave presented a bill to legalize the proceedings of the school trustees of congressional township number nine, north of range four west, in Owen county;

Which was read the first time and passed to a second reading.

Mr. Clark after having obtained leave presented a bill for a State road from Montgomery county to intersect a State road in Warren county;

Which was read the first time and passed to a second reading.

Mr. Hargrove after having obtained leave presented a bill to repeal and amend a part of the 14th and 18th sections of the act entitled "An act regulating the jurisdiction and duties of justices of the peace" approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Flake after having obtained leave presented a bill to aid the citizens of Dearborn county to build a bridge across the south fork of

Hogan creek on the road leading from Napoleon to Aurora at or near the crossing of the present road on the land of Martin Cozine;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The bill to legalize certain acts of the justices of the peace of this State,

The bill providing for the relocation of a part of the Williamsport State road,

The bill to locate a State road from Jefferson in Clinton county to Attica, and from thence to Farmer's ford, and from thence to intersect the Williamsport State road in a direction to Chicago,

The bill to incorporate the Danville school society, and

The bill to alter and relocate part of the Vernon and Fort Wayne State road, and part of the Shelbyville State road in the county of Rush,

Were severally read the second time and ordered to be engrossed and read a third time tomorrow.

The engrossed joint resolution from the Senate in relation to internal improvements, a protecting tariff, and rechartering the United States' bank,

The bill amendatory of an act for assessing and collecting the revenue, approved February 10, 1831,

The bill for the formation of a volunteer corps of light Infantry in the 33d regiment of the militia of this State,

The engrossed bill from the Senate to establish a state road from Greensburg in Decatur county to Noblesville in Hamilton county,

The engrossed bill from the Senate to amend the act entitled "An act regulating the fees and salaries of the several officers and persons therein named" approved February 7, 1831,

The engrossed bill from the Senate to amend the act entitled "An act authorizing domestic attachments and regulating the proceedings thereon" approved January 19, 1831, and

The engrossed joint resolution from the Senate on the subject of the United States' bank,

Were severally read the second time and committee of the whole House for to-morrow.

The bill to provide for changing a part of the state road leading from New Albany to Vincennes, within Floyd county, was read the second time:

The rules of the House then being dispensed with, the said bill was considered as engrossed and read the third time and passed.

Ordered, That it be entitled an act, and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate supplemental to an act entitled

"an act to regulate general elections," approved January 30, 1831, was read the second time and committed to a committee of the whole house for Saturday next.

The bill to locate a State road from Spencer in Owen county, by way of Bowling Green in Clay county to Terre-Haute in Vigo county, was read the second time:

On motion of Mr. Davis,

The first section thereof was so amended as to provide that so much of said road as runs through Vigo county shall be opened sixty feet wide.

Ordered, That said bill be engrossed and read a third time to-morrow.

The bill to establish a state road from Knightstown in Henry county, by way of Pendleton in Madison county to Strawtown in Hamilton county;

Was read the second time, and

On motion of Mr. Bell,

Ordered, That it be recommitted to the committee on roads.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

The bill to incorporate the Lawrenceburgh and Indianapolis railroad company, was read the second time and committed to a committee of the whole House for to-morrow.

On motion of Mr. Culley,

Ordered, That 150 copies thereof be printed for the use of the members of this House.

The bill to provide for the location of a certain state road therein named, and

The memorial of the General Assembly of the State of Indiana, relating to the Louisville and St. Louis mail route;

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The memorial to the Congress of the United States, and joint resolution of the General Assembly of the State of Indiana relative to the extinguishment of Indian title to lands within said State;

Was read the second time.

Mr. Thornton moved that the same be committed to a committee of the whole House for to-morrow;

Which motion was decided in the negative;

It was then

Ordered, That said memorial be engrossed and read a third time to-morrow.

The bill to amend an act entitled "an act regulating the jurisdiction and duties of justices of the peace,"

The engrossed bill from the Senate to provide suitable compensation for non-resident witnesses in criminal cases,

The joint resolution to the improvement of the navigation of the Wabash and White rivers,

The bill to establish a state road from Fredericksburgh in Washington county, to Terre-Haute in Vigo county, and

The bill to amend an act entitled "an act relative to county boundaries," approved Feb. 10, 1831,

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The engrossed bill from the Senate to incorporate the Greenwood education society;

Was read the second time, and

Amended on motion of Mr. Smiley,

By inserting the word "hold" before the words "real estate" in the latter clause of the bill which provides for the amount of real estate to be held by said corporation.

Ordered That said bill be committed to a committee of the whole House for to-morrow.

The engrossed bill from the Senate to repeal an act entitled "An act for the relief of certain purchasers of lands in the reserve township of Monroe county," approved February 1, 1831,

The engrossed joint resolution of the General Assembly from the Senate for the relief of Daniel Pattengale, and

The engrossed joint resolution of the General Assembly from the Senate, soliciting from Congress a donation of lands to actual settlers in indigent circumstances,

Were severally read the second time and passed to a third reading on to-morrow.

The bill concerning lotteries was read the second time, when

Mr. Maxwell moved to commit it to a committee of the whole House for to-morrow;

Before the question thereon,

Mr. Noble moved that the further consideration of said bill be indefinitely postponed,

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Baber, Bryant, Lane, Mastin, Noble and Polke—6.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bell, Bonner, Brady, Casey, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Jones, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Nelson, Paddacks, Parks, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Willet, Williams, Wilson, Wooden and Moore Speaker—63.

And so said motion was decided in the negative.

The question then recurred on the motion of Mr. Maxwell to commit, and

Being put,

It passed in the affirmative.

The bill to alter and establish the lines of the counties of Wayne, Union, Fayette and Henry;

Was read the second time, when,

Mr. Steele moved that the further consideration thereof be indefinitely postponed, and

Before the question was put thereon,

The House adjourned until to-morrow morning at nine o'clock.

FRIDAY MORNING, DECEMBER 30, 1831.

The House met pursuant to adjournment.

Mr. Lynd presented a petition of David Leffler and others, praying an amendment of the law on the subject of salines and saline reserves in favor of the tenants of the French Lick reserve;

Which was read and referred to the same select committee to which a resolution of the House on the same subject was referred.

Mr. Wilson presented a petition of sundry citizens of Carroll county, praying a relocation of their seat of justice; and two remonstrances of citizens of the same county, against such relocation;

Which were read and referred to a select committee of Messrs. Wilson, Clark and Heaton.

Mr. Durham presented two memorials of sundry citizens of this State, severally praying the incorporation of a company, to be called the New Albany, Salem, Indianapolis and Wabash rail-road company:

Which was read and referred to the committee on canals and internal improvements.

On motion of Mr. Logan,

The petition of Matthew Brown and others, and the petition of Moses Sparks and others, for a state road from William Logan's, on the Mauks ferry road, to Bloomington; laid on the table on the 24th instant, were taken up and ordered to be referred to a select committee;

Whereupon,

Messrs. Logan, Hite, Cox, Parks, Durham, Moyer and Thornton were appointed that committee.

Mr. Noble presented two petitions of citizens of Franklin and Decatur counties severally praying for a state road from Brookville to Greensburgh;

Which were read and referred to the committee on roads.

Mr. Cotton from the committee of ways and means, to which was referred a resolution of the House, on the subject of advertisements, by collectors, of lands sold for taxes, reported a bill amendatory of the act for assessing and collecting the revenue, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Thornton from the committee on the judiciary, to which was referred the petition of Charles Smith and others of Knox county, relative to insufficient mill dams, reported a bill to amend the act entitled "an act allowing and regulating the writ of *ad quod damnum*," approved December 20, 1823;

Which was read the first time and passed to a second reading.

Mr. Slaughter from the committee on education, to which was referred the petition of Elisha P. Cushman and others, citizens of Greene county, reported a bill to incorporate the Greene county seminary;

Which was read the first time and passed to a second reading.

Mr. Wilson from the committee on roads, to which were referred the petition and remonstrance of sundry citizens of the counties of Hendricks, Boon, Marion and Montgomery for and against a relocation of the State road from Indianapolis to Crawfordsville, reported that in the opinion of the committee, the petitioners have their remedy in the Circuit Court, and that it is inexpedient to legislate on the subject;

Which report was read and concurred in.

Mr. Wilson from the same committee, to which was referred the petition of George White of Clark county, reported that the want of

funds out of which the petitioner's relief, if granted, ought to come, renders it unnecessary to legislate on the subject at this time;

Which report was read and concurred in by the House.

Mr. Stanford from the committee on roads, to which was recommended the bill to establish a State road from Knightstown in Henry county, by way of Pendleton in Madison county, to Strawtown in Hamilton county, reported the same with several amendments;

Which were read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Gardner from the committee on canals and internal improvements, to which was referred a resolution of the House, directing an enquiry into the expediency of appropriating a portion of the three per cent. fund for the improvement of the navigation of the two White rivers, reported that it was inexpedient to legislate upon that subject.

Mr. Livingston moved to refer said report to a select committee, with instructions to report a bill in pursuance of the resolution;

Which motion passed in the affirmative.

Ordered, That Messrs. Livingston, Wilson, Logan, Wooden, Barber and Wallace be that committee.

Mr. Hanna made the following report:

The committee of this House, on public buildings, acting jointly with a similar committee on the part of the Senate, have, according to order had under consideration the several plans submitted by individuals agreeably to a notice of James Blake commissioner, in an advertisement of May 13th, 1831, offering a premium of one hundred and fifty dollars for the best plan for a State House, to be approved of by this Legislature, report, that after a close and minute examination of all the plans submitted, (there being twenty-one in number) the committee unanimously agreed, that the one submitted by Messrs. Ithiel Town and A. J. Davis of the city of New York, combines elegance of taste, convenience, durability and cheapness of construction, in a superior degree to any others submitted, and ought to be adopted as the plan of a State House for Indiana; the committee therefore have directed me to accompany with this report the aforesaid plan and designs, together with a communication from the authors on that subject, and recommend the adoption of the following joint resolution:

The said report was accompanied by a joint resolution of the General Assembly of the State of Indiana;

Which was read the first time and passed to a second reading.

Mr. Noble from the select committee to which was referred a resolution of the House relative to lands becoming forfeited to the state for nonpayment of taxes, reported a bill to amend an act entitled "an

act for assessing and collecting the revenue, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Cox from the select committee, to which was referred a resolution of the House on that subject, reported a bill to provide for building dams and slopes across navigable streams;

Which was read the first time and passed to a second reading.

Mr. Morris moved that one hundred and fifty copies thereof be printed for the use of the members of this House;

Which motion was decided in the negative.

Mr. Hoover from the select committee to which was referred a resolution of the House relative to additional election precincts in the counties of Wayne and Montgomery, reported a bill to amend the act regulating general elections, approved January 31, 1831;

Which was read the first time and passed to a second reading.

Mr. Conner from the select committee to which was referred a petition on that subject, reported a bill to provide for the relocation of a part of the Fort Wayne and Winchester State toads;

Which was read the first time and passed to a second reading.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills entitled "acts," as follows, to wit:

An act to amend an act for the prevention of frauds and perjuries,

An act for the relocation of part of the State road from Martinsville to Levenworth,

An act requiring certain public officers to give additional security,

An act to establish a State road from Lafayette to Parishes Grove,

An act to prohibit the circulation of bank notes of a denomination less than five dollars,

An act to authorize the Agent of State for the town of Indianapolis to purchase a fire engine,

An act to relocate a part of the State road from Newcastle to Lafayette; and

An act supplemental to an act providing means for the construction of the Wabash and Erie canal; also,

Memorials and joint resolutions entitled

A memorial and joint resolution relative to a survey of the Maumee river, and asking of Congress, in favour of Indiana, discretionary power as to the disposition of our canal lands, lying in the state of Ohio; and

A memorial and joint resolution to the Congress of the United States, on the subject of improving the navigation of the Wabash river.

In which engrossed bills and memorials and joint resolutions, the concurrence of the House of Representatives is requested.

The engrossed bills, memorials and joint resolutions named in said message were severally read the first time and passed to a second reading.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills entitled "acts," as follows, to wit:

An act to amend an act entitled "an act to establish and regulate ferries,

An act supplemental to "an act for the relief of the subscribers to the building of the state prison," approved January 10, 1831,

An act supplementary to an act authorizing the Agent of State for the town of Indianapolis to lay off the land belonging to the State into lots, and offer the same to sale," approved February 9, 1831,

An act to authorize certain proceedings of the board of commissioners of Union county,

In which bills the concurrence of the House of Representatives is requested.

The engrossed bills named in said message were severally read the first time and passed to a second reading.

The Speaker laid before the House the following communication, in writing, from the Governor, covering the report therein mentioned:

Which were read and referred to the committee on education.

"EXECUTIVE DEPARTMENT,

Indianapolis, December 30, 1831.

The Hon. H. H. MOORE,

Speaker of the H. of Representatives:

SIR,

Through the medium of the chair permit me to lay before the House of Representatives the report of the Treasurer of the Indiana College.

Very Respectfully,

N. NOBLE.

(REPORT.)

To His Excellency the Governor of the State of Indiana:

SIR—In compliance with an act entitled "an act to establish a College in the State of Indiana," approved January 28, 1828, the Treas-

urer of said College would respectfully submit the following as a true account of the receipts and the expenditures of the Indiana College, (by him) since the 27th of October, 1830, up to the 26th of September, 1831.

Remaining in the treasury on the 27th of October, 1830, of the fund arising from the students \$52 11

Of the funds arising from the sale of the section south of the College 241 11

Received of the students during the above period 833 75

Received of the commissioner to sell the section south of the college 460 00

Received of John W. Lee, former superintendent of the Seminary township in Monroe county 160 00

When added makes 1792 17

In the above period the following sums have been paid:

To the faculty - - - - - \$728 75

“ janitor - - - - - 52 00

“ secretary of the board of trustees 11 43½

Printing and other incidental expenses 16 93½

Fire wood 17 10

Repairs 2 00

To the treasurer 2 per cent. of \$1921 62, being the amount received of the students and paid out since the commencement of the institution up to the 26th of September, 1830, 38 43

For materials, &c. to mechanics for the new college building 581 68½

For philosophical apparatus and books 216 50

When added makes 1664 84½

Taken from the receipts leaves in the treasury 127 32½

Respectfully submitted

JAMES BORLAND, Treasurer.

November 26, 1831.

Mr. Bell from the select committee to which was referred the petition of sundry citizens on that subject, reported a bill to divorce Catherine Russell from her husband James Russell;

Which was read the first time; when

Mr. Noble moved to reject said bill;

Which motion was decided in the negative.

Ordered, That said bill pass to a second reading.

Mr. Gardner moved the following resolution,

Resolved, That this House will on to-morrow at ten o'clock, A. M. proceed to the election of a sergeant at arms. for the purpose of executing the process of this House, in pursuance of the resolution of

Monday last, directing the same to issue for the purpose of compelling the attendance of the necessary witnesses before the judiciary committee of this House, on the case of Alfred J. Athon, a justice of the peace of Lawrence county, charged in the memorial of Matthew Borland with corrupt, illegal and oppressive conduct in his official capacity; which officer shall continue in office during the period necessary for the execution of the duty aforesaid, and no longer, unless otherwise ordered by this House.

And on the question to adopt the same,
The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Bonner, Bryant, Clawson, Conner, Crumpton, Culey Davis, Garduer, Griggs, Grover, Hanna, Henderson, Hoover, Mastin, Morris, Noble, Peyton, Proffit, Reynolds, Rose, Secrest, Tebbs, Thornton, Williams and Moore, Speaker—26.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Casey, Clark, Cotton, Cox, Cravens, Crume, Decker, Durham, Ferguson, Finch, Flake, Frame, Hargrove, Harrod, Heaton, Henley, Hite, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Moyer, Nelson, Paddacks, Parks, Polke, Reid, Robinson, Ruddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Wallace, Willet, and Wilson—45.

And so said resolution was not adopted.

Mr. Gardner moved the following resolution,

Resolved, That the committee of ways and means be instructed to report an amendment to the act for assessing and collecting the revenue, approved February 10, 1831; providing that it shall be discretionary with the board doing county business to assess a tax of 25 cents upon the owner or possessor of each wooden clock; provided however that this provision shall not be so construed as to apply to any person or persons who may be merely engaged in vending such wooden clocks, and may have procured the necessary licence from the proper authority for that purpose;—and also to enquire into the propriety of increasing the amount of licence, clock pedlers are required to pay, to \$50 00

Mr. Maxwell moved to amend said resolution by inserting before the words 'wooden clock,' where they first occur, these words 'mantle or fancy.'

Mr. Vawter moved to amend the amendment by adding to it a provision that such clocks shall be of the value of ten dollars or upwards.

Before the question was put thereon,
It was

On motion of Mr. Davis,

Ordered, That said resolution and proposed amendments be laid on the table.

On motion of Mr. Robinson,

Resolved, That a select committee be appointed to enquire into the expediency of so amending the 10th section of an act to provide for the commissioning sherriffs and coroners and regulating their duties, approved January 7, 1824, as to make it the duty of those officers when they arrest any person or persons for a breach of the peace, to go with such person or persons before some justice of the peace, instead of recognizing such person or persons to the circuit court, and to make it the duty of justices of the peace to hear and determine such cases in the same manner as other cases of the kind are heard and determined by justices of the peace.

Ordered, That Messrs. Robinson, Thornton and Reynolds be that committee.

Mr. Thornton moved the following resolution,

Resolved, That the judiciary committtee be instructed to enquire into the expediency of providing by law for the publication of the decisions of the supreme court of this State at as early a period as practicable after the same shall have been rendered, and for the depositing of a copy thereof in each of the clerk's offices of the several counties to be kept therein for the inspection and use of all persons concerned, and also for the distribution of a copy thereof to such State and county officers as may be deemed necessary and proper; with instructions to report by bill or otherwise;

Which having been read,

A motion was made by Mr. Henley that it lie on the table;

And was decided in the negative.

Mr. Stanford moved to amend said resolution by striking out so much thereof as relates to the distribution of said reports to such State and county officers as may be deemed necessary and proper; and

Before the question was put thereon,

The House adjourned until to-morrow morning at nine o'clock.

SATURDAY MORNING, DECEMBER 31, 1831.

The House met pursuant to adjournment.

On motion of Mr. Wilson,

Ordered, That Mr. Smiley have leave of absence from the service of this House until Tuesday next.

Mr. Morris presented a petition of sundry citizens of Shelby and Rush counties praying for a State road from Robert Hankins' on the Michigan road via Marion, thence to intersect the Rushville and Shelbyville road at or near the crossing of Mud creek;

Which was read and referred to a select committee of Messrs. Morris, Jones and Flake.

Mr. Brady presented a petition of James Blake and others, owners of out-lots in the town of Indianapolis praying authority to vacate certain streets and lanes through those out-lots, and for other relief;

Which was read and referred to the committee on the affairs of the town of Indianapolis.

Mr. Bell presented a petition of William McCain and others, praying for a State road from the falls of Fall creek by certain points therein named, to Munceytown;

Which was read and referred to a select committee of Messrs. Bell, Harrod and Paddacks.

On motion of Mr. Lane,

Ordered, That Mr. Wooden have leave of absence from the service of this House until Tuesday next.

Mr. Wilson from the committee on roads to which was referred a petition of sundry citizens of Floyd county on that subject, reported a bill for the location of a State road from New Albany to Jeffersonville;

Which was read the first time and passed to a second reading.

Mr. Reid from the select committee to which was referred the petition of N. Crookshank and others, reported a bill to incorporate the Harrison and Indianapolis rail-road company;

Which was read the first time and passed to a second reading.

Mr. Crumpton from the select committee to which was referred the petition of Simon Snyder and others praying a law establishing the line between Vermillion and Warren counties; reported that it was inexpedient to legislate on that subject at this time, and asked to be discharged from the further consideration of the same;

Which was read—and

On motion of Mr. Clark.

Ordered That, said report do lie on the table.

Mr. Robinson from the select committee to which was referred a resolution of the House directing an enquiry into the expediency of so amending the law as to make it the duty of sheriffs and coroners upon arresting any person on view, for a breach of the peace, to go with such person before some justice of the peace instead of recognizing him to the circuit court; reported a bill to amend an act to pro-

vide for the commissioning sheriffs and coroners and to regulate their duties and for other purposes, approved January 7, 1824;

Which was read the first time and passed to a second reading.

Mr. Cravens from the select committee to which was referred a resolution of this House directing them to enquire into the expediency of incorporating a company to construct a rail road from Madison to Indianapolis, reported that the committee have had the subject under consideration and are of opinion that *it is expedient* to incorporate a company for said purpose;

Which report was read and laid on the table.

Mr. Crume from the select committee to which was referred the petition of the parties, reported a bill for the relief of James Putman and Mary his wife;

Which was read the first time and passed to a second reading.

Mr. Alley from the select committee to which was referred the petition of sundry citizens of Shelby county on that subject, reported a bill to attach a part of Shelby county to Decatur county;

Which was read the first time and passed to a second reading.

The House then resumed the consideration of the resolution moved by Mr. Thornton relative to the publication and distribution of the decisions of the supreme court of this State, depending at the last adjournment, when

Mr. Thornton withdrew said resolution.

On motion of Mr. Thornton,

Ordered, That Mr. Ruddick have leave of absence from the service of this House until Tuesday next.

On motion of Mr. Lane,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law to extend the jurisdiction of the circuit courts and justices of the peace in crimes and misdemeanours so as to take cognizance of offences committed on navigable rivers where the same form the boundary line of this State.

On motion of Mr. Wallace,

Resolved, That the judiciary committee be and they are hereby requested to enquire into the expediency of so amending the law relative to crimes and punishment as to make it obligatory on all persons who may hereafter steal any horse or mule or any other article of value and is found guilty thereof, to pay, in addition to the fine and imprisonment all the expenses the person may be at in getting back such stolen property.

Mr. Proffit moved the following resolution:

Resolved, That A. S. White be instructed to furnish a good and

sufficient index to the journal of this House, provided that the expenses thereof shall not exceed fifty dollars;

Mr. Culley moved to amend the same by striking out the proviso and

Before the question was put thereon,

It was,

On motion of Mr. Thornton,

Ordered, That said resolution and proposed amendment do lie on the table.

Mr. Culley moved the following resolution,

Resolved, That the committee on the judiciary be requested to enquire into the expediency of so amending the laws regulating "fees and salaries," as to allow grand and petit jurors one dollar per day for and during their attendance on circuit and probate courts:

And the question being put,

Shall said resolution be adopted?

It was decided in the negative.

Mr. Profit moved the following resolution,

Resolved That the committee on the judiciary be instructed to enquire into the expediency of so amending the law as to abolish the punishment by death in cases where our statute inflicts such punishment;

And the question being put on its adoption,

It was decided in the negative.

Mr. Grover after having obtained leave, presented a memorial and joint resolution of the General Assembly of the State of Indiana relative to the public lands;

Which was read the first time and passed to a second reading.

Mr. Clark after having obtained leave, presented a bill for the more permanent establishment of the line dividing the counties of Vermillion and Warren;

Which was read the first time and passed to a second reading.

Mr. Robinson after having obtained leave, presented a bill to provide for taking the valuation of taxable property in this State preparatory to the introduction of the *ad valorem* system of taxation;

Which was read the first time and passed to a second reading.

Mr. Finch after having obtained leave, presented a bill providing for the draining of the swamps, ponds, marshes and other low lands within the county of Tippecanoe;

Which was read the first time and passed to a second reading.

Mr. Secrest after having obtained leave presented a bill to aid the citizens of Putnam county to build a bridge across Racoon creek;

Which was read the first time and passed to a second reading.

Mr. Lane after having obtained leave, presented a bill to repeal part of an act entitled "An act to regulate marriages," approved February 4, 1831,

Which was read the first time and passed to a second reading.

Mr. Culley after having obtained leave, presented a bill supplemental to an act confirming to John J. Akin, Alexander Walker and John J. Livingston certain rights;

Which was read the first time and passed to a second reading.

Mr. Flake after having obtained leave, presented a bill relative to wharves, ferries, &c.

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the bill to alter and establish the lines of the counties of Wayne, Union, Fayette and Henry, depending when the House adjourned on Thursday evening last;

Before the question was put on the motion of Mr. Steele to postpone said bill indefinitely,

It was

On motion of Mr. Cravens,

Ordered, That said bill be laid on the table.

The bill to make certain witnesses competent,

The bill to alter and amend the 22d and 25th sections of the law regulating the jurisdiction and duties of justices of the peace, approved Feb. 10, 1831, and

The bill to incorporate the Lawrenceburgh insurance company,

Were severally read the second time and committed to a committee of the whole House for Monday next.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

The bill for the relief of John Boner of Jennings county, was read the second time, and

On motion of Mr. Cravens, committed to a select committee.

Ordered, That Messrs. Vawter, Cravens and Hargrove be that committee.

The bill to aid the citizens of Pike county to build a bridge across Patoka and for other purposes,

The bill to amend an act entitled "An act to organize and regulate the militia of the State of Indiana," approved Feb. 10, 1831,

The bill amendatory of the act organizing circuit courts and defining their powers and duties,

The bill to incorporate the Richmond, Eaton and Miami rail-road company, and

The bill to attach a part of the county of Putnam to the county of Clay,

Were severally read the second time and committed to a committee of the whole House for Monday next.

The bill declaring Hogan creek in Dearborn county, a public highway, and

The bill to provide for the election of electors of President and Vice President of the United States,

Were severally read the second time and ordered to be engrossed and read a third time on Monday next.

The bill to amend an act for assessing and collecting the revenue, approved Feb. 10, 1831,

Was read the second time and committed to a committee of the whole House for Friday next.

And then the House adjourned until Monday morning at nine o'clock.

MONDAY MORNING, JANUARY 2, 1832.

The House met pursuant to adjournment.

Mr. Ferguson presented a petition of James Mitchell and others, praying the incorporation of a company to construct a rail-road from the Falls of the Ohio to Logansport, to be called the Ohio and Wabash rail-road company;

Which was read and referred to a select committee of Messrs. Ferguson, Thornton, Williams, Henley and Wilson.

Mr. Peyton presented a memorial of J. J. Burton and others praying the incorporation of the New Albany, Salem, Indianapolis and Wabash rail-road company;

Which was read and referred to the committee on canals and internal improvements.

Mr. Bell presented a petition of sundry citizens of the counties of Madison, Henry and Delaware, praying for a state road from Pendleton to Munceytown, and for an appropriation of money thereon;

Which was read and referred to the same select committee to which a former petition on that subject was referred.

Mr. Morris presented a petition of Thomas Cotton and others praying for a state road from Greensburgh via Noblesville and other points, to intersect the Michigan road at or near where the Lafayette and New Castle state road crosses the same;

Which was read and committed to the same committee of the whole House to which an engrossed bill from the Senate on the same subject is committed.

Mr. Jones presented a petition of George Henerix of Wayne county, praying to be re-imburshed for money paid on a lot in Indianapolis which had become forfeited through misapprehension; together with a certificate for said lot;

Which were read and referred to the committee on claims.

Mr. Secrest presented a petition of citizens of Putnam county for a relocation of the state road from Greencastle to Russellville;

Which was read and referred to a select committee of Messrs. Secrest, Mastin and Proffit.

Mr. Gardner from the select committee to which was referred the petition of John M. Coleman, reported a bill for the relief of the petitioners and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Stevenson from the select committee to which was referred the petition of Samuel Smith, reported a bill to authorize the Owen circuit court to change the venue in a certain case therein named;

Which was read the first time and passed to a second reading.

On motion of Mr. Gardner,

The resolution moved by him and laid on the table on the 30th ult. relative to levying a tax on wooden clocks, was taken up,

The question recurring on the amendment proposed by Mr. Vawter to the amendment moved by Mr. Maxwell to said resolution,

It was decided in the negative.

The question was then put on the said amendment of Mr. Maxwell,

And passed in the affirmative.

On motion of Mr. Crumpton,

Said resolution was further amended by striking out all except so much as relates to increasing the licence clock pedlars are required to pay to the amount of \$50 00.

The said resolution as amended was then adopted by the House.

On motion of Mr. Proffit,

The resolution moved by him and laid on the table on Saturday last, relative to making an index to the journal of the House, was taken up, when

Mr. Reid moved that the further consideration thereof be indefinitely postponed;

Which motion passed in the affirmative.

On motion of Mr. Thornton,

Resolved, That the Senate be informed that the House of Representatives will be ready on this day at 2 o'clock, P. M. to proceed with the trial of the article of impeachment preferred by them to the Senate, against Young L. Hughes, a justice of the peace of the county of Hendricks for mal-feasance in his official capacity.

Mr. Logan moved the following resolution,

Resolved, That the judiciary committee be instructed to enquire into the expediency of repealing so much of the 22d section of the act regulating the mode of doing county business in the several counties in this State, approved January 19, 1831, as relates to the boards of commissioners dividing the several townships within their respective counties into as many high-way districts as they may deem necessary, so that said boards shall not be bound to district the several counties in this State that have been districted by any former board of commissioners or justices; with leave to report by bill or otherwise.

Mr. Willet moved to amend the same so as to refer the enquiry to a select committee, instead of the judiciary committee;

Which motion passed in the affirmative.

The said resolution as amended was then agreed to by the House.

Ordered, That Messrs. Logan, Willet and Frame be that committee.

Mr. Murray after having obtained leave, presented a bill to authorize David Conner to erect a mill-dam across Mississinewa river;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The bill to incorporate the Decatur county Seminary,

The bill to authorize the treasurer of the Seminary fund of Pike county to loan said fund to the board of commissioners of said county and for other purposes,

The bill for the relief of Francis McClelland of Marion county,

The bill relative to the Sullivan county Seminary,

The bill to provide for the location of a state road from Wood's ferry on the East Branch of White river, in Lawrence county, to Bloomfield,

The bill to provide for a state road from Martinsville in Morgan county to Frankfort in Clinton county, by the way of Cox's mill in Morgan county, Danville and New Pennsylvania,

The joint resolution respecting the plan of a State House,

The bill amendatory of an act to provide for the location of certain state roads therein named, approved Feb. 10, 1831, and

The bill to amend the act entitled "An act allowing and regulating the writ of *ad quod damnum*," approved Dec. 20, 1823,

Were severally read the second time and ordered to be engrossed and read the third time on to-morrow.

The bill to divorce Lydia Booker from her husband Richard M. Booker,

The bill to authorize and require the Seminary trustee of the county Ripley, and the treasurer of the library of said county to loan certain money within their control,

The bill to legalize the proceedings of the school trustees of congressional township No. 9 north of range 4 in Owen county,

The bill to aid the citizens of Dearborn county to build a bridge across the south fork of Hogan creek, on the road leading from Napoleon to Aurora, at or near the crossing of the present road on the land of Martin Cozine, and

The bill amendatory of the act for assessing and collecting the revenue, approved Feb. 10, 1831,

Were severally read the second time and committed to a committee of the whole House for to-morrow.

Mr. Crumge moved that the several orders of the day which precede bills upon their third reading be for the present postponed and that the House proceed to consider those bills;

Which motion was decided in the negative.

The bill for a state road from Montgomery county to intersect a State road in Warren county;

Was read the second time and committed to a select committee of Messrs. Clark, Angle and Finch.

The bill to repeal and amend a part of the 4th and 18th sections of the act entitled "An act regulating the jurisdiction and duties of justices of the peace," approved Feb. 10, 1831;

Was read the second time and committed to the same committee of the whole House to which is committed the bill to amend an act entitled "An act regulating the jurisdiction and duties of justices of the peace," approved Feb. 10, 1831.

The bill to incorporate the Greene county Seminary;

Was read the second time, and

On motion of Mr. Livingston,

The first section thereof was amended by inserting the name of Cornelius P. Van Slyck as an additional trustee, and correcting the number of those trustees where it afterwards occurs in conformity thereto.

The said bill was then ordered to be engrossed and read a time to-morrow.

The bill to amend an act entitled "An act for assessing and collecting the revenue," approved Feb. 10, 1831;

Was read the second time and committed to the same committee of the whole House to which is committed the bill amendatory of the same act.

The bill to provide for building dams and slopes across navigable streams, was read the second time,

Mr. Cox moved to commit it to a committee of the whole House for to-morrow:

Before the question was put thereon,

Mr. Moyer moved that said bill be indefinitely postponed;

Which motion passed in the affirmative.

On motion of Mr. Thornton,

The House resolved itself into a committee of the whole, for the purpose of attending the trial of Young L. Hughes, (a justice of the peace of Hendricks county,) before the Senate sitting as a court of impeachment in the Hall of this House, on a certain article and specifications heretofore preferred against him by the House;

And after some time spent therein, the Speaker resumed the chair and Mr. Aker reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until to-morrow morning at nine o'clock.

TUESDAY MORNING, JANUARY 3, 1832.

The House met pursuant to adjournment.

Messrs. Wooden, Smiley and Ruddick to whom leave of absence was given on Saturday last, now appeared and resumed their seats.

Mr. Davis presented a petition of James Reed and others, and a petition of Parker Sinclear and others severally praying the location of a State road from Merom to Bloomfield;

Which were read and referred to the committee on roads.

Mr. Cox presented a petition of sundry citizens of Morgan and the adjoining counties praying an act to authorize Jeremiah Murry and Joshua Evilisezer to erect a mill dam across the west fork of White river;

Which was read and referred to a select committee of Messrs. Cox, Polke and Griggs.

Mr. Wilson presented a petition of John M'Greger and others praying for the organization of a new county out of territory now attached to Cass;

Which was read and referred to a select committee of Messrs. Wilson, Angle and Clark.

Mr. Bell presented a petition of Isaac Elsworth, Andrew Brag and others praying for a State road from Pendleton in Madison county by the way of Huntsville and Middletown to Munceytown;

Which was read and referred to the same select committee to which former petitions on that subject were referred.

Mr. Smiley presented a memorial of James McClelland and others, citizens of this State praying for the incorporation of the New-Albany, Salem, Indianapolis and Wabash rail-road company;

Which was read and referred to the committee on canals and internal improvements.

Mr. Vawter presented a petition of John Jones indicted for murder, in the Bartholomew circuit court, praying a change of venue to the third Judicial circuit;

Which was read and referred to a select committee of Messrs. Vawter, Davis and Cravens.

Mr. Durham presented a petition of citizens of Putnam, Montgomery and Parke counties praying the formation of a new county out of territory to be detached from the counties above named;

Which was read and referred to a select committee of Messrs. Durham, Gardner and Williams.

On motion of Mr. Thornton,

The House again resolved itself into a committee of the whole for the purpose of attending the trial of Young L. Hughes a justice of the peace of Hendricks county, before the Senate sitting as a court of impeachment on the article and specifications preferred against him by the House;

And after some time spent therein, the Speaker resumed the chair, and

Mr. Davis reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment, and

Again resolved itself into a committee of the whole for the purpose of continuing to attend the trial of Young L. Hughes before the Senate sitting as a court of impeachment in the Hall of the House;

And after some time spent therein,

The Speaker resumed the chair; and

Mr. Hoover reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until to-morrow morning at nine o'clock.

WEDNESDAY MORNING, JANUARY 4, 1832.

The House met pursuant to adjournment.

On motion of Mr. Gardner,
Ordered, That Mr. Aker have leave of absence from the service of this House until Monday next.

The Speaker presented a petition of James Hornback and others praying for the formation of a new county out of territory attached to Tippecanoe and Carroll and a part of Tippecanoe county, to be called Brown county; which was read, when

Mr. Thornton moved to refer it to a select committee; and

Before the question was put thereon, it was

On motion of Mr. Wilson,

Ordered, That said petition do lie on the table.

Mr. Angle presented a remonstrance of David McCabe and others against the formation of a new county out of parts of Montgomery, Putnam and Parke counties.

Mr. Nelson presented a remonstrance of Thomas D. Baird and others of a similar purport with the one last named;

Which two remonstrances were severally read and referred to the same select committee to which a petition on that subject was yesterday referred.

On motion of Mr. Gardner,

Mr. Stevenson was added to that committee.

Mr. Angle presented a petition of Jesse Enlow and John James praying an act to change the name of the town of James town in Montgomery county to New Market or some other name;

Which was read and referred to a select committee of Messrs. Angle, Secrest and Heaton.

Mr. Angle presented a petition of sundry citizens of Montgomery county praying that a State road authorized by an act of the last session from Mooresville via Danville to the western line of Hendricks county in a direction to Crawfordsville, may be continued from its said termination through James town to Crawfordsville;

Which was read and referred to the committee on roads.

Mr. Conner presented a petition of sundry citizens of the east side of Montgomery county and of the county of Boon, praying that a part of the territory of Montgomery may be attached to Boon;

Which was read, when

Mr. Conner moved to refer it to a select committee;

Before the question was put thereon;

Mr. Angle moved to lay said petition on the table;

Which motion passed in the affirmative.

Mr. Secrest presented a remonstrance of sundry citizens of Putnam county against attaching a part of said county to the county of Clay;

Which was read and committed to the same committee of the whole House to which is committed the bill to attach a part of the county of Putnam to the county of Clay.

On motion of Mr. Thornton,

The House again resolved itself into a committee of the whole for the purpose of attending the further progress of the trial of Young L. Hughes before the Senate sitting as a court of impeachment in the Representative Hall;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Lane reported progress and asked leave to sit again;

Which leave was granted by the House.

And then the House adjourned until to-morrow morning at nine o'clock.

THURSDAY MORNING, JANUARY, 5, 1832.

The House met pursuant to adjournment.

Mr. Stevenson presented a petition of Thomas Johnson, praying indemnity, for expenses and loss incurred in pursuit of George Whiteburgh, a felon;

Which was read and referred to the committee on claims.

Mr. Clark presented a petition of William Newell and others, praying that the state road from Lafayette to Parish's Grove may be continued thence to the State line in a direction to the rapids of the Illinois river, and remonstrating against the vacation of any part of said Parish Grove state road;

Which was read and referred to a select committee of Messrs. Clark, Heaton and Clawson.

Mr. Crumpton presented a petition of Wilson Malone and Daniel Mace, praying compensation for going to Posey county as witnesses on behalf of the State, against Paxton, accused of murder;

Which was read and referred to a select committee of Messrs. Crumpton, Cravens and Bryant.

Mr. Morris from the select committee to which was referred the petition of citizens of Shelby county, reported a bill for the establishment of a road therein named;

Which was read the first time and passed to a second reading.

Mr. Vawter from the select committee to which was committed the bill for the relief of John Boner of Jennings county, reported the same with two amendments;

Which were read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

The House then proceeded to consider the following message, received from the Senate on Tuesday last by Mr. Morris their Assistant Secretary: to wit:

Mr. Speaker,

The Senate has passed engrossed bills entitled as follows, to wit:

"An act supplemental to an act prescribing the mode of changing the venue," approved January 28, 1831.

"An act to amend the act entitled "an act regulating the jurisdiction and duties of justices of the peace," approved Feb. 10, 1831.

"An act to establish a state road from Connorsville, in Fayette county, to Raysville on the National road in Henry county."

"An act to extend the powers of the Hanover academy."

"An act declaratory of divers parts of the acts, joint resolutions, and memorials passed at the last session of the General Assembly;

Also

Engrossed bills from the House entitled as follows:

An act to provide for changing a part of the State road leading from New Albany to Vincennes, within Floyd county.

"An act to provide for changing a part of the state road, leading from Indianapolis by way of Danville and Rockville, to Montezuma, and

"An act amendatory to the act entitled "an act to organize probate courts and defining the powers and duties of executors, administrators and guardians"—all with amendments.

The Senate has also passed joint resolutions entitled as follows, viz:

A joint resolution of the General Assembly, adopting the plan of a State House and for other purposes.

A joint resolution relative to officers and soldiers and the militia who bore arms in the war of the Revolution, and who are not entitled to pensions under any existing law;

In which bills and joint resolutions of the Senate and the amendments proposed to the bills of the House of Representatives, the concurrence of the House of Representatives is requested.

The engrossed bill first named in said message,

Was read the first time and passed to a second reading.

Before the House had proceeded further in the consideration of said message,

On motion of Mr. Thornton,

The House again resolved itself into a committee of the whole for

the purpose of continuing to attend the trial of Young L. Hughes, before the Senate, sitting as a court of impeachment in the Representative Hall;

And after some time spent therein, the Speaker resumed the chair and Mr. Casey reported progress, and asked leave to sit again; and

On the question

‘Shall the committee have leave to sit again?’

It was decided in the negative.

On motion of Mr. Stanford,

Ordered, That the committee of the whole be discharged from further attending the trial of Young L. Hughes.

And then the House adjourned until to-morrow morning at nine o'clock.

FRIDAY MORNING, JANUARY 6, 1832.

The House met pursuant to adjournment, and

Resumed the consideration of the message received from the Senate on Tuesday last, unfinished at the adjournment of the House on yesterday.

The engrossed bill secondly therein named was twice read (the rules of the House having first been dispensed with) and committed to the same committee of the whole House, to which are committed two bills of this House amendatory of the act regulating the jurisdiction and duties of justices of the peace.

The bills thirdly, fourthly and fifthly named in said message were severally read the first time and passed to a second reading.

The several amendments proposed by the Senate to the bills of the House, first and secondly named in said message, were severally read and agreed to by the House.

Ordered, That the clerk inform the Senate thereof.

The amendment proposed by the Senate, to the bill of the House, thirdly in said message named, was read, and

On motion of Mr. Thornton,

Ordered, That said bill and proposed amendment be laid on the table.

The joint resolutions from the Senate, mentioned in said message, were severally read the first time and passed to a second reading.

Mr. Wilson presented a petition of John Walker and others, praying a change in part of the State road leading from Crawfordsville, through Frankfort, to intersect the Michigan road in a direction to Fort Wayne;

Which was read and referred to the committee on roads.

A motion was made by Mr. Gardner that Messrs. Nelson and Bryant be added to the select committee, to which are referred a petition and remonstrances for and against the formation of a new county out of parts of Montgomery, Putnam and Parke counties;

Which was decided in the negative.

Mr. Durham moved that Mr. Ruddick be added to the same committee;

Which motion did not prevail.

Mr. Williams presented a memorial of Garrett M'Call and others, citizens of this state, praying for the incorporation of the New-Albany, Salem, Indianapolis and Wabash rail-road company;

Which was read and referred to the committee of canals and internal improvements.

Mr. Casey from the committee on military affairs, to which was referred so much of the Governor's message as relates to the militia of this state, reported that in the opinion of the committee it is inexpedient to legislate upon that subject at this time;

Which was read and concurred in.

Mr. Wilson from the committee on roads; to which were referred two petitions and a remonstrance of sundry citizens of the counties of Jefferson and Jennings, relative to changing a state road therein named, reported that the committee are of opinion that it is inexpedient to pass an act changing said road; but recommend the passage of the following bill:

Which report was accompanied by a bill (therein named) to amend an act entitled "an act for opening and repairing public roads and highways;" approved February 10, 1831:

The said bill was read the first time and passed to a second reading.

Mr. Henley from the select committee to which was referred the petition of James Mitchell and others, reported a bill to incorporate the Ohio and Wabash rail-road company;

Which was read the first time and passed to a second reading.

Mr. Logan from the select committee to which was referred the petition of citizens of Washington, Jackson and Lawrence counties, praying that the present county road from Bloomington, by the way of Leesville and Sparks' ferry, to intersect the Mauk's ferry state road, at or near the house of William Logan in the county of Washington, reported that they have had that subject under consideration and are of opinion that if the prayer of the petitioners be granted it will greatly facilitate the emigration to the north and north western part of our State;

Which report was accompanied by a bill to locate a State road

from Bloomington via Leesville and Sparks' ferry to intersect the Mauks' ferry State road at or near the house of William Logan;]

Which was read the first time and passed to a second reading.

Mr. Vawter from the select committee to which was referred the petition of John Jones reported a bill authorizing a change of venue in a case therein named;

Which was read the first time and passed to a second reading.

Mr. Secrest from the select committee to which was referred the petition of Edward Haney and others reported a bill to relocate a part of the State road leading from Greencastle to Russelville;

Which was read the first time and passed to a second reading.

Mr. Cravens made the following report:

The select committee to which was referred a resolution of this House, originally referred to the committee on the judiciary "directing that committee "to enquire into the expediency of so amending the law relative to crime and punishment as to make all voluntary prosecutors in petit misdemeanors liable for costs, where the defendants shall be acquitted, unless the court shall be of opinion that there were reasonable grounds for instituting the prosecution" upon which said committee made the following report "that in their opinion it is *inexpedient* to legislate upon that subject;" have according to order had the said resolution and report under consideration and have directed me to report a bill to amend an act entitled "an act relative to crime and punishment," approved February 10, 1831;

The bill named in and accompanying said report;

Was read the first time and passed to a second reading.

Mr. Reid moved to reconsider the vote given on the 27th ult. adopting a resolution reported by the judiciary committee directing said committee to enquire into the official conduct of Alfred J. Athon, a justice of the peace of Lawrence county and authorizing them to compel the attendance of witnesses for the purpose of making such enquiry;

Which motion having been stated from the chair, was

Before the question was put thereon

Withdrawn by the mover.

Mr. Hoover moved the following resolution:

Resolved, That a select committee be appointed to enquire into the expediency of defining by proper bounds the sparsely and unsettled parts of the State into counties, and if found expedient, report a bill in conformity with the provisions of this resolution;

And the question being put,

'Shall said resolution be adopted?'

It was decided in the negative.

On motion of Mr. Brady,

Resolved, That the committee on public buildings be instructed to enquire into the expediency of appointing a commissioner to superintend the building of a State House, and the putting of said House under contract, the ensuing summer; and that the Senate be informed thereof, and a similar resolution on their part requested.

Mr. Lane, after having obtained leave, presented a bill to legalize the election of trustees for the Presbyterian congregation in the town of Evansville;

Which was read the first time and passed to a second reading.

Mr. Wallace after having obtained leave, presented a bill to incorporate the town of Washington, in Daviess county;

Which was read the first time and passed to a second reading.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Hoover after having obtained leave, moved that the House reconsider the vote given on the 27th ultimo, adopting a resolution directing the judiciary committee to enquire into the official conduct of Alfred J. Athon, a justice of the peace of Lawrence county, and to compel the attendance of witnesses to promote such enquiry.

Which motion was decided in the negative.

The House then proceeded to consider the orders of the day.

The bill to amend the act regulating general elections, approved January 31, 1831, and

The bill to provide for the relocation of a part of the Fort Wayne and Winchester state roads,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

Engrossed bills from the Senate, viz:

The bill to amend an act for the prevention of frauds and perjuries, and

The bill for the relocation of part of the State road from Martinsville to Levenworth,

Were severally read the second time and ordered to be read a third time to-morrow.

The following engrossed bills from the Senate, to wit:

The bill requiring certain public officers to give additional security,

The bill to authorize the agent of State for the town of Indianapolis to purchase a fire engine, and

The bill to relocate a part of the State road from Newcastle to Lafayette;

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The engrossed bill from the Senate to establish a State road from Lafayette to Parishes Grove, was read the second time, and

On motion of Mr. Clark,
Ordered to lie on the table.

The engrossed bill from the Senate to prohibit the circulation of bank notes of a denomination less than five dollars,

Was read the second time, when

Mr. Steele moved that the further consideration thereof be indefinitely postponed; and

Before the question was put thereon,

Mr. Steele withdrew said motion.

It was then,

On motion of Mr. Maxwell,

Ordered, That said bill be committed to a committee of the whole House for to-morrow.

Mr. Cravens on leave given, presented a petition of sundry citizens of Jefferson county, praying that a law be passed prohibiting the circulation of foreign bank notes of a less denomination than five dollars,

Which was read and committed to the same committee of the whole House with the bill last named.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

The Senate has passed an engrossed bill entitled "An act for the location of the county seat of Boon county."

In which the concurrence of the House of Representatives is requested;

The said engrossed bill was read the first time and passed to a second reading.

The House then resumed the consideration of the orders of the day.

The engrossed bill from the Senate supplemental to an act providing means for the construction of the Wabash and Erie canal, was read the second time,

Mr. Lane moved to commit it to the same committee of the whole to which is committed a bill of this House of the same title; and

After discussion of said motion, and before the question was put thereon,

The House adjourned until to-morrow morning, nine o'clock.

SATURDAY MORNING, JANUARY 7, 1832.

The House met pursuant to adjournment.

Elisha M. Huntington, a member from the county of Vigo, appeared, produced his credentials, was sworn into office by the Hon. Isaac Blackford, and took his seat.

The following message was received from the Senate on yesterday by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has adopted a resolution reciprocating a resolution adopted by the House of Representatives—by which the joint committee of public buildings are instructed to enquire into the expediency of appointing a commissioner to superintend the building of a State House, and the putting said House under contract the ensuing summer.

Mr. Frame presented two petitions of citizens of Rush county, severally praying a change in part of the Rushville and Lawrenceburgh state road;

Which were read and referred to a select committee of Messrs. Frame, Henderson and Tebbs.

Mr. Hanna presented a petition of the board of commissioners, clerk, sheriff, and other citizens of St. Joseph county, praying that the election and acts of those officers may be legalized;

Which was read and referred to a select committee of Messrs. Hanna, Huntington and Davis.

Mr. Huntington presented a petition of Samuel Crawford and others, citizens of Vigo county, praying an act to prohibit the circulation of bank bills of a less denomination than five dollars;

Which was read and committed to the same committee of the whole House to which is committed an engrossed bill from the Senate on that subject.

Mr. Slaughter from the committee on education to which were referred so much of the Governor's message as relates to that subject, and sundry resolutions of the House relative to the Indiana College, reported a bill to amend an act entitled "An act to establish a college in the State of Indiana," approved January 24, 1828;

Which was read the first time and passed to a second reading.

Mr. Logan made the following report:—

The committee on claims to which was referred the petition of Thomas Johnson, praying compensation for pursuing a certain George Whittelburgh, a fugitive from justice, from the county of Putnam, have had that subject under their consideration, and are of opinion that the said Thomas Johnson ought to be allowed the a-

mount of his travelling expenses, and offer for adoption the following resolution:

Resolved, That the committee of ways and means be directed to allow to Thomas Johnson, in the specific appropriation bill, the sum of twenty-six dollars, it being the amount expended by said Johnson.

Which resolution was read and agreed to by the House.

Mr. Davis from the committee on roads to which were referred two petitions of citizens of Sullivan county on that subject, reported a bill to locate a state road from Merom in Sullivan county, to Bloomfield in Greene county;

Which was read the first time and passed to a second reading.

Mr. Brady from the committee on roads to which was referred the petition of sundry citizens of Marion county relative to a certain state road therein named, reported that it was inexpedient to legislate on that subject;

Which was read and concurred in.

Mr. Brady from the same committee to which was referred the petition of James Duncan, reported a bill to change a part of the Lafayette state road;

Which was read the first time and passed to a second reading.

Mr. Hoover from the select committee to which was referred so much of the Governor's message as relates to that subject, reported a memorial of the General Assembly of the State of Indiana, on the continuation of the construction of the Cumberland road;

Which was read the first time and passed to a second reading.

Mr. Clark from the select committee to which was referred the petition of William Newell and others, praying a road therein named, reported a bill to locate a state road from Parish's Grove to the state line in a direction to the rapids of the Illinois, at the terminating point of the Illinois canal;

Which was read the first time and passed to a second reading.

On motion of Mr. Bryant,

Mr. Huntington was added to the select committee to which are referred a petition and two remonstrances, for and against the formation of a new county out of territory belonging to the counties of Parke, Putnam and Montgomery.

Mr. Angle from the select committee to which was referred the petition of Jesse Enlow and John James, reported a bill to change the name of Jamestown in Montgomery county to New-Market;

Which was read the first time and passed to a second reading.

Mr. Cox from the select committee to which was referred the pe-

tion of citizens of Morgan county on that subject, reported a bill authorising the erection of a mill-dam across White river;

Which was read the first time and passed to a second reading.

Mr. Baber, after having obtained leave, presented a bill to establish a certain State road therein named and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Davis after having obtained leave, presented a bill to provide for obtaining an insurance on the real property of the State at Indianapolis;

Which was read the first time and passed to a second reading.

Mr. Wooden after having obtained leave, presented a bill to amend the act entitled "an act to establish a state road from William Connelly's, in Lawrence county, to Greencastle in Putnam county," approved February 7, 1831;

Which was read the first time and passed to a second reading.

On motion of Mr. Frame,

Ordered, That Mr. Mastin have leave of absence from the service of this House until Monday next.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the engrossed bill from the Senate, supplemental to an act providing means for the construction of the Wabash and Erie canal.

The question recurring on the motion made by Mr. Lane, and depending at the last adjournment, to commit said bill to the same committee of the whole House to which is committed a bill of this House of the same title, and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Ferguson, Hargrove, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Moyer, Noble, Paddacks, Parks, Polke, Ruddick, Thornton, Vawter and Moore, Speaker—19.

And those who voted in the negative are,

Messrs. Alley, Angle Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Durham, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harod, Heaton, Huntington, Jones, Maxwell, Morris, Murray, Nelson, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Seccrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbis, Wallace, Willet, Wilson and Wooden—50.

And so said motion was decided in the negative.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Morris from the joint committee on enrolled bills, reported that they have compared the enrolled with the engrossed bill entitled "An act to provide for changing a part of the state road, leading from New Albany to Salem, within Floyd county," and find the same truly enrolled,

Whereupon,

The Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Hoover from the joint committee on enrolled bills, reported that they did on this day, present to the Governor for his approval, and signature, an act for the formation of the county of Laporte, and for other purposes.

The House then resumed the consideration of the engrossed bill from the Senate, supplemental to an act providing means for the construction of the Wabash and Erie canal, depending at the adjournment this morning; when

Mr. Slaughter moved that the House reconsider the vote given to-day on the motion of Mr. Lane to commit said bill, and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Baber, Cotton, Decker, Durham, Ferguson, Griggs, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Vawter, Williams and Moore, Speaker—25.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Conner, Cox, Cravens, Crume, Crumpton, Culley, Davis, Finch, Flake, Frame, Gardner, Grover, Hanna, Heaton, Huntington, Jones, Morris, Murray, Nelson, Noble, Payton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—45.

And so said vote was not reconsidered.

Mr. Slaughter moved to amend the first section of the bill, the latter clause of which reads as follows:—

"And for the purpose of commencing, carrying on, and completing the construction of the part thus finally located, and of the residue of said canal from the Ohio state line to the Tippecanoe river, as estab-

lished by an act of the General Assembly of this State, entitled "An act concerning the Wabash and Miami canal," approved January 23, 1829, and the estimate of the entire cost whereof as made by the United States' Engineer, is \$1,081,970 00:—the duties of the board of canal commissioners now organized, shall be, and the same are hereby, changed, transferred and extended in manner hereinafter stated,"

By striking out the same from the word "located," and inserting in lieu thereof the following:—

"That the money now on hand, arising from the sales of the canal lands be, and the same is hereby appropriated and shall be so applied."

A division of the question being called for by Mr. Wilson,

It was put on striking out, and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Crume, Durham, Ferguson, Frame, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore Speaker—29.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Griggs, Grover, Hanna, Heaton, Huntington, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—43.

And so said motion was decided in the negative.

Mr. Logan moved to amend said bill by adding to the second section thereof, the following proviso:—

"Provided that nothing in this section shall be so construed as to make the State of Indiana accountable, either by taxation or appropriation of any part of the revenue, which may or shall hereafter be raised by taxation, in virtue of any law of this State, to construct or aid in the construction of said canal, or any part thereof, except so far as the donation given by the General Government, shall or may go for the object for which it was given."

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Durham, Ferguson, Frame, Griggs, Hargrove, Harrod, Henderson, Henley, Hoover, Jones, Lane, Livingston:

Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore, Speaker—28.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Grover, Hanna, Heaton, Hite, Huntington, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—44.

And so said motion was decided in the negative.

And then the House adjourned until Monday morning at nine o'clock.

MONDAY MORNING, JANUARY 9, 1832.

The House met pursuant to adjournment.

Mr. Mastin to whom leave of absence was given on Saturday last appeared and resumed his seat.

The Speaker presented two petitions of sundry freeholders, inhabitants of the eastern part of Harrison county praying that a part of the territory of said county may be attached to the county of Floyd;

Which were read, when

Mr. Williams moved that they be referred to a select committee.

Mr. Cravens moved to amend said motion so as to instruct said committee to ascertain if practicable whether any, and if any, how much territory over and above four hundred square miles is contained within the boundary of Harrison county; and make report thereof to this House:

Which amendment was accepted by Mr. Williams as a modification of his motion;

The question being then put thereon,

The said petitions were so referred;

Ordered, That Messrs. Williams, Cravens, Davis and Slaughter be that committee.

Mr. Slaughter presented a remonstrance of sundry citizens of Harrison county against the legislative provision prayed for in the above named petition;

Which was read and referred to the same select committee to which those petitions were referred.

Mr. Clark presented a petition of George Wolfer and others, citizens

zens of Warren county, praying relief to Curtis Smith, an occupant of part of a certain School section in said county;

Which was read and referred to a select committee of Messrs. Clark, Clawson and Wilson.

Mr. Huntington presented sundry petitions to wit:

One of sundry citizens of Vigo county and one of citizens of Sullivan county, severally praying a relocation of part of the road from Terre-Haute to Carlisle.

Also a petition of sundry citizens of Sullivan county, and one of Bradford Hall and others, severally praying that the State road from Terre-Haute to Carlisle may be established on the line of the old county road between those points.

Also a petition of John H. Watson and others, citizens of Vigo county, praying that the Terre-Haute and Bono State road if changed may follow the route of some already established road through Fort Harrison prairie;

Which petitions were severally read and referred to the committee on roads

On motion of Mr. Thornton,

The petition of John Eavens and others praying a change in the line dividing the counties of Lawrence and Jackson, laid on the table on the twenty-third ultimo, was taken up and ordered to be referred to a select committee;

Whereupon Messrs Thornton, Durham and Conner were appointed that committee.

Mr. Durham presented three remonstrances of citizens of Jackson county against the object prayed for in the petition last named;

Which were read and referred to the same select committee to which the said petition was referred.

Mr. Thornton from the judiciary committee to which was referred a resolution of the House directing an enquiry into the expediency of requiring all persons taking bills of sale to record the same in the clerks office of their respective counties within ten days after the execution of the same, reported a bill to amend the act entitled "an act for the prevention of frauds and perjuries" approved January 24, 1831;

Which was read the first time and passed to a second reading.

Mr. Thornton from the same committee to which was referred so much of the Governor's message as relates to the tariff and protecting system, reported that as there is a joint resolution embracing the same subject matter at this time pending before this House it is unnecessary to make any other report on that subject, and asked to be discharged from the further consideration thereof:

Ordered, That said committee be discharged accordingly.

Mr. Thornton from the same committee made the following report:

"The judiciary committee to which was referred the resolution of this House instructing them to enquire into the expediency of so amending the act "regulating the jurisdiction and duties of justices of the peace" approved February 10, 1831 as to give jurisdiction to justices of the peace in cases wherein executors or administrators are plaintiffs or defendants, have according to order had the same under consideration and have directed me to report the following as an amendment to said act to be incorporated in the bill at this time pending before this House on the same subject, viz:

Sec. Justices of the peace are hereby vested with jurisdiction of suits instituted by executors and administrators before them in like manner as they are now authorized by the act to which this is an amendment to take cognizance of suits instituted by persons in their individual capacities;"

Which was read, and

On motion of Mr. Thornton,

It was committed to the same committee of the whole House to which is committed the bill therein named.

Mr. Thornton from the same committee to which was referred the resolution of this House instructing them to enquire into the propriety of so amending the law on that subject as to provide for filling vacancies in the office of county recorders occasioned by death, resignation, removal or otherwise, reported a bill to amend the act entitled "An act defining the duties of recorders," approved January 19, 1831;

Which was read the first time and passed to a second reading.

Mr. Thornton from the same committee to which was referred the resolution of this House, instructing them to enquire into the expediency of so amending the act "regulating the jurisdiction and duties of justices of the peace," approved February 10, 1831, as to authorize justices of the peace to issue execution and other process on judgments on Sunday, where the judgment debtor is about to abscond, reported the following as an amendment to said act, to be incorporated in the bill at this time pending before this House on the same subject, to wit:—

Sec. Justices of the peace are hereby authorized to issue writs of execution upon judgments on their dockets in all cases where the judgment debtor is about to abscond on Sunday, upon the judgment creditor making and filing with such justice an affidavit that such judgment is unsatisfied either in whole or in part, that such judgment debtor is about to abscond from the county, and that he verily believes the said judgment debtor will be out of the reach of process if the issuing thereof should be deferred until another day.

Which was read and committed to the same committee of the whole House to which the bill therein named is committed.

Mr. Morris from the committee on the affairs of the town of Indianapolis, to which was referred the petition of James Blake and others, citizens of the town of Indianapolis, praying that a power may be vested in some court, committee, or agency, to receive and determine application for vacating streets, lanes and alleys within the limits of the donation; reported that they have had the same under consideration, and after mature deliberation, deem it inexpedient to grant the prayer of the petitioners;

Which report was read and concurred in.

Mr. Thornton from the select committee to which was referred a petition of sundry citizens of Orange county, and a resolution of this House on the subject reported a bill to amend the act entitled "an act respecting salines and saline reserves" approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Durham from the select committee to which were referred a petition and sundry remonstrances for and against a new county out of territory to be detached from Parke, Putnam and Montgomery counties, reported that it is inexpedient to legislate on that subject at this time;

Which report was read and concurred in,

On motion of Mr. Durham:

Leave was given him to withdraw the last named petition.

On motion of Mr. Wallace,

Resolved, That the Auditor of public accounts be instructed to furnish for the use of this House a true estimate of all the first, second and third rate land, and also the number of polls in each county that are taxable the present year, or as near as may be.

Mr. Stanford moved the following resolution:

Resolved, That the committee on education be instructed to enquire whether any amendment be necessary to the 38th section of an act entitled "an act for incorporating congressional townships and providing for publick schools therein" and if any what, to enable the sub trustees to obtain a title to site for school houses, with leave to report by bill or otherwise;

Mr. Slaughter moved to amend said resolution by striking out the words "38th section of an"

Which was accepted by Mr. Stanford as a modification of said resolution.

Mr. Davis moved to amend the resolution by adding to it the following:

“And further to make enquiry into the expediency of authorizing the selection of town sites on said school sections;

Which motion passed in the affirmative.

The said resolution as amended was then agreed to.

On motion of Mr. Thornton,

Messrs. Huntington and Steele were added to the judiciary committee.

Mr. Steele asked to be excused from further serving upon the committee on military affairs, and was accordingly excused.

On motion of Mr. Crume,

Mr. Huntington was added to the committee on canals and internal improvements.

On motion of Mr. Thornton,

Resolved, That Messrs. Henry Stoddart and John M. U. McNutt of Ohio and late members of the Legislature of that State—also Messrs. Samuel Gwathmey, Daniel McAllister and James Guthrie of Kentucky, the latter at this time a member of the Senate of Kentucky—all of whom are present attending in the Lobby be invited to take seats within the Bar of this House during its deliberations.

The House then proceeded to consider the orders of the day; and

Resumed the consideration of the engrossed bill from the Senate supplemental to an act providing means for the construction of the Wabash and Erie canal, depending at the last adjournment of the House;

Mr. Parks moved to commit the bill to the committee on canals and internal improvements with instructions to modify the same so as to commence with the work on said canal by appropriating all of the available funds arising from the sale of the canal lands and no more:

Mr. Thornton moved to postpone the further consideration of said bill until two o'clock in the afternoon of this day;

Before the question was put thereon:

A motion was made by Mr. Hanna that the House adjourn until two o'clock P. M.

And the ayes and noes being required by two members on the question of adjournment,

Those who voted in the affirmative are,

Messrs. Bryant, Clark, Cravens, Griggs, Hanna, Harrod, Huntington, Nelson, Noble, Polke, Reynolds, Robinson, Smiley, Vawter, and Moore, Speaker—15.

And those who voted in the negative are,

Messrs. Alley Angle, Baber, Bell, Bonner, Brady, Casey, Clawson, Conner, Cotton, Cox, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Grover, Hargrove, Heaton,

Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Peyton, Proffit, Reid, Rose, Ruddick, Secrest, Slaughter, Stanford, Steele, Stevenson, Tebbs, Thornton, Wallace, Willet, Williams, Wilson and Wooden—57.

And so said motion was decided in the negative.

Mr. Thornton then withdrew his said motion to postpone the bill.

The question recurring on the motion made by Mr. Parks, to commit said bill, and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Crume, Durham, Ferguson, Frame, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Vawter and Williams—27.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Griggs, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Thornton, Wallace, Willet, Wilson, Wooden and Moore, Speaker—46.

And so said bill was not so committed;

Mr. Lane moved to amend the bill by striking out the fourth section from the word "dollars" and the whole of the 5th section, which said 4th and 5th sections read in the words following to wit:

"**SEC. 4.** That the said commissioners of the canal fund be and they are hereby authorized to contract with any individual corporation or company for a loan to the amount of two hundred thousand dollars which with the monies immediately arising by cash payments of the sale of canal lands, is estimated to be sufficient to construct the middle section and feeder of said canal, on a credit of thirty years, but redeemable in whole or in part after the period of twenty years at the option of the state; and said loan to be at a rate of interest not exceeding six per centum per annum, and to be so negotiated that the same may be drawn in portions from time to time and be subject to interest only as it may be required in completing the contracts entered into from time to time, and for other expenses relative to said canal; *provided*, that at no period shall there be an amount so drawn of said loan to exceed the amount due on the sales of the canal lands; and the said commissioners shall issue transferable certificates in the name of the State, upon drawing such loan, which shall be countersigned by the treasurer of State.

SEC. 5. That for the payment of the interest and the redemption of the principal of the sums of money which may be borrowed under the authority of the General Assembly for the construction of the said canal, to the extent of the estimated cost thereof, in the first section of this act stated, there shall be and are hereby irrevocably pledged and appropriated, all the monies in any manner arising from the lands donated by the United States to this state, for the construction of said section of canal, the canal itself with the said portion of land thereto appertaining, or as much thereof as will realize by sale the sum borrowed, and all privileges thereby created and the rents and profits thereof belonging to the state, and the nett proceeds of tolls collected on said canal or any part thereof as finished, the sufficiency of which for the purposes aforesaid, as above allowed and provided for, the state of Indiana doth hereby irrevocably guarantee."

And by inserting in lieu of the part so stricken out, the following, to wit:

"On a credit of thirty years, redeemable in whole or in part, at the option of the state, at a rate of interest not exceeding six per centum per annum, to be drawn from time to time, in such portions as may be required to complete the contracts entered into relative to the said canal, subject to interest only from the time it is drawn or received; if such loan can be obtained without pledging in any manner the faith of the state for the payment of the interest or for the redemption of the principal. The canal and all the privileges thereby created, the rents and profits thereof belonging to the state, and all the nett proceeds of the tolls collected therefrom, are hereby irrevocably pledged for the payment of the interest, and for the redemption of all monies borrowed by the authority of this act: and the commissioners on drawing such loans shall, in the name of the state, issue transferable certificates, which shall be countersigned by the treasurer of state."

Mr. Hanna called for a division of the question;

Before the question was put thereon

Mr. Thornton moved to amend the fifth section of said bill, by striking out the following words, in the last clause of said section, to wit:

"the sufficiency of which for the purposes aforesaid as above allowed and provided for, the state of Indiana doth hereby irrevocably guarantee."

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Crume, Durham, Ferguson, Flake, Frame, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Rud-

dick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore Speaker—30.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Finch, Gardner, Griggs, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—43.

And so said motion was decided in the negative.

The question recurred on the amendment proposed by Mr. Lane and was put on the first division thereof, to wit on striking out a part of the fourth and the whole of the fifth section, and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Crume, Durham, Ferguson, Frame, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams, and Moore, Speaker—29.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Griggs, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson, and Wooden—44.

And so said motion was decided in the negative.

Mr. Hargrove moved to amend the third section of the bill, the first clause whereof reads as follows:—

“SEC. 3. That there shall be established a board of commissioners to consist of three members, to be appointed and commissioned under the requisitions of this act by the Governor of this State, by and with the advice and consent of the Senate, and to be denominated, the commissioners of the canal fund; and the said board shall continue until the loans procured under its operations be wholly paid,”

By striking out therefrom these words, “to be appointed and commissioned under the requisitions of this act by the Governor of this State, by and with the advice and consent of the Senate,”

And inserting in lieu thereof the following:

“To be elected by joint ballot of both Houses of the General Assembly of this State, and commissioned by the Governor thereof.”

Mr. Davis called for a division of the question, and

Before the vote was taken

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment,

And resumed the consideration of the engrossed bill, depending at the last adjournment.

Mr. Thornton moved to amend the amendment proposed thereto by Mr. Hargrove, under consideration when the House adjourned this morning, by striking out therefrom the word “ballot,” and inserting in lieu thereof the word “vote;”

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Durham, Ferguson, Henley, Livingston, Logan, Lynd, Moyer, Ruddick and Thornton—11.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Hite, Hoover, Huntington, Jones, Lane, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Wallace, Willet, Williams, Wilson, Wooden and Moore, Speaker—62.

And so said motion was decided in the negative.

The question then recurring on the said amendment, proposed by Mr. Hargrove, it was put on the first division thereof, to wit: on striking out;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Crume, Decker, Durham, Ferguson, Griggs, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore, Speaker—30.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Finch, Flake, Frame, Gardner, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—43.

And so said motion was decided in the negative.

Mr. Ferguson moved to amend the bill by adding at the end thereof, the following as an additional section, viz:

“SEC. The provisions of this act shall be in full force and virtue so soon as the State of Ohio shall, by an act or resolution of her General Assembly, agree to complete that portion of the line of the above mentioned canal, lying and being within its boundaries, or shall authorize this State to complete the same, and shall moreover relinquish her right to the canal lands appropriated for that purpose, so as to enable the State of Indiana to comply with the conditions of the act of Congress, of 2d March, 1827, entitled An act to grant a certain quantity of land to the State of Indiana for the purpose of aiding said State in opening a canal to connect the waters of the Wabash river with those of Lake Erie, and not otherwise.”

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Crume, Durham, Ferguson, Frame, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore, Speaker—29.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Griggs, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—44.

And so said motion was decided in the negative.

Mr. Hargrove moved to amend said bill by inserting after this clause in the eighth section thereof, to wit:—

“Provided that no contracts shall be made in extent to exceed in all the amount receiving and accruing from canal lands sold at the time”—the following:—

"Provided also that no contracts shall be made for the construction of any part, portion or section of the canal at a higher rate than the cost of construction estimated by Joseph Ridgeway jr., late engineer of the middle section of the canal, and twenty-five per centum on the amount of said estimate."

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Durham, Ferguson, Frame, Hargrove, Harrod, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Moyer, Paddacks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore, Speaker—25.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Griggs, Grover, Hanna, Heaton, Henderson, Huntington, Jones, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Parks, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—48.

And so said motion was decided in the negative.

Mr. Brady moved to amend the bill by adding at the end thereof the following:—

"This act to be in force from and after its publication in the Indiana Democrat and Indiana Journal."

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Brady, Casey, Harrod, Henley, Hoover, Huntington, Livingston, Lynd, Polke, Proffit, Thornton, and Willet—12.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Hite, Jones, Lane, Logan, Mastin, Maxwell, Morris, Moyer, Murray, Nelson, Noble, Paddacks, Parks, Peyton, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Wallace, Williams, Wilson, Wooden and Moore, Speaker—61.

And so said motion was decided in the negative.

Mr. Hanna moved that the rules of the House be dispensed with and the bill be read a third time now.

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cox, Cravens, Crumpton, Culley, Davis, Decker, Durham, Finch, Flake, Gardner, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Steele, Stevenson, Tebbs, Wallace, Willet, Williams, Wilson and Wooden—44.

And those who voted in the negative are,

Messrs. Brady, Casey, Cotton, Crume, Ferguson, Frame, Griggs, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Moyer, Noble, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Thornton, Vawter, and Moore, Speaker—29.

Whereupon,

The Speaker decided that said question was carried in the affirmative.

From this decision Mr. Thornton appealed to the House, which was seconded by the Speaker:—

And on the question,

‘Is the decision of the Chair correct?’

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Conner, Cox, Cravens, Crumpton, Culley, Davis, Decker, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Hoover, Huntington, Jones, Lane, Logan, Mastin, Maxwell, Morris, Murray, Paddacks, Polke, Proffit, Reid, Reynolds, Robinson, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Wallace, Willet, Williams, Wilson and Wooden—55.

And those who voted in the negative are,

Messrs. Cotton, Crume, Hargrove, Henley, Hite, Livingston, Lynd, Moyer, Nelson, Noble, Parks, Peyton, Rose, Ruddick, Tebbs and Thornton—16.

And so said question was carried in the affirmative.

The said bill was then read the third time, and

The question being put,

‘Shall the bill pass?’

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Bryant, Clark, Clawson, Conner, Cox, Cravens, Crumpton, Culley, Davis, Decker, Finch, Flake, Gardner, Grover, Hanna, Heaton, Huntington, Mastin, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Wallace, Willet, Wilson and Wooden—42.

And those who voted in the negative are,

Messrs. Brady, Casey, Cotton, Crume, Durham, Ferguson, Frame, Griggs, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Jones, Laue, Livingston, Logan, Lynd, Moyer, Paddacks, Parks, Polke, Ruddick, Slaughter, Smiley, Steele, Thornton, Vawter, Williams and Moore, Speaker—31.

And so said bill passed.

Ordered, That the Clerk inform the Senate thereof.

And then the House adjourned until to-morrow morning at nine o'clock.

TUESDAY MORNING, JANUARY 10, 1832.

The House met pursuant to adjournment.

The following message was received from the Senate on yesterday by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has adopted the following resolution:

Resolved, That the joint committee on public buildings be instructed to address a note to Mr. Ithiel Town, requesting him to furnish such additional drawings, specifications and estimates to the plan of the State House submitted by himself and S. J. Davis as will be sufficiently explicit to base a contract upon; or as will serve as a general reference for a superintendant during the progress of the work.—The drawings, specifications and estimates to be based upon the supposition, that the external as well as the internal proportions of the original design will be preserved, except so far as will be necessary to enlarge the Court room and Senate Chamber to an area of not less than 1400 feet, clear of a proportionate gallery and lobby, and that the building will be finished in a neat and becoming style throughout, and that the House of Representatives be informed of the adoption of this resolution.

A message from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

The Senate has passed an engrossed bill entitled "An act to amend an act, entitled 'an act for assessing and collecting the revenue,' approved February 10, 1831, in which the concurrence of the House of Representatives is requested.

The above named bill was read the first time and passed to a second reading.

Mr. Ferguson presented a petition of James Guthrie, Samuel Gwathmey and Daniel M'Allister, praying the sanction and ratification, by the General Assembly of this State, of the provisions of an act of the Commonwealth of Kentucky, to incorporate a company to build a bridge across the Ohio river at the falls, together with a copy of said act;

Which were read, and

On motion of Mr. Ferguson,
Ordered to lie on the table.

Mr. Finch presented two petitions of sundry inhabitants of territory attached to Carroll county, severally praying the formation of a new county out of said territory and a part of Carroll county proper;

Which were read and referred to a select committee of Messrs. Finch, Crumpton and Wilson.

On motion of Mr. Wilson,

The petition of sundry citizens praying a new county out of part of Tippecanoe and of territory attached to Tippecanoe and Carroll counties, laid on the table on the 4th inst., was taken up and referred to the same select committee.

Mr. Cotton from the committee of ways and means to which was referred a resolution of the House on that subject, reported a bill to amend the law for assessing and collecting the revenue, approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Noble from the committee on roads, to which was referred a petition of sundry citizens on that subject, reported a bill to establish a State road from Greensburgh in Decatur county to Brookville in Franklin county;

Which was read the first time and passed to a second reading.

Mr. Morris from the joint committee on enrolled bills reported, that they have compared the enrolled with the engrossed bill entitled,

An act to provide for changing a part of the State road from Indianapolis, by way of Danville and Rockville, to Montezuma:

And find the same truly enrolled;

Whereupon,

The Speaker signed said bill.

Ordered, That the clerk carry it to the Senate and ask the signature of their President.

On motion of Mr. Robinson,

Resolved, That a select committee be appointed to examine the tract books and maps on file in the Auditor's office, and that they report how far that provision of the Auditor's duty has been complied with—also, that they report their opinion as to the utility of the present Tract book system, and how far the same is susceptible of improvement, by joint resolution or otherwise.

Ordered, That Messrs. Robinson, Stevenson and Finch be that committee.

Mr. Hoover, after having obtained leave, presented a joint resolution relative to the Governor's House;

Which was read the first time and passed to a second reading.

Mr. Ferguson, after having obtained leave, presented a bill to ratify and confirm an act of the legislature of the State of Kentucky, incorporating a company to build a bridge across the Ohio river at the falls;

Which was read the first time and passed to a second reading.

Mr. Harrod, after having obtained leave, presented a bill to establish a State road from Madison, Jefferson county, via Lexington to Salem in Washington county;

Which was read the first time and passed to a second reading.

Mr. Flake, after having obtained leave, presented a bill to amend an act entitled "an act to continue in force an act for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the Court House at Lawrenceburgh, on the morning of the 6th March 1826. approved January 29, 1831;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day; and

On motion of Mr. Crume,

The several orders of the day which precede bills on their third reading were for the present postponed, and the House proceeded to consider those bills.

The engrossed bill to revive an act entitled an act for the relief of the subscribers to the building of the State prison and for other purposes, approved February 10-1831, was read the third time, and

On motion of Mr. Thornton,
Ordered, That it lie on the table.

Engrossed bills of the House of the following titles, to wit:
 The bill to improve the Mauk's ferry State road,
 The bill respecting the Knox county poor house,
 The bill to legalize the election of county commissioners in the several counties in this state, held on the first Monday in August 1831,
 The bill to dissolve the corporation of the town of Crawfordsville and for other purposes,
 The bill to authorize the Vermillion Circuit Court to change the venue in a certain case therein named; and
 The bill to provide for relocating a part of the Mauk's ferry State road,
 Were severally read the third time and passed.

Ordered, That they be entitled 'acts,' and that the Clerk carry them to the Senate and ask their concurrence.

The bill for the benefit of Daniel Burcham, of Switzerland county, was read the third time,

Mr. Hoover moved to commit it to a select committee, with instructions to report an amendment embracing all similar cases;

Which motion was decided in the negative, and

On the question,

'Shall said bill pass?'

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The bill to repeal an act entitled "An act to repeal an act therein named," approved January 29, 1831, and for other purposes;

Was read the third time, amended by unanimous consent, and passed.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The bill supplemental to an act passed January 24, 1831, for the location of a State road from Richmond to Fort Wayne in Allen county;

Was read the third time and recommitted to the same committee of the whole House to which is committed a bill from the Senate on the same subject.

The engrossed bill supplemental to an act entitled "An act to incorporate the Wabash insurance company," was read the third time;

Mr. Cravens moved to recommit it to a committee of the whole House for to-morrow;

Which motion was decided in the negative, and

On motion of Mr. Vawter,

The said bill was recommitted to a select committee.

Ordered, That Messrs. Vawter, Cravens and Decker be that committee.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed an engrossed bill entitled "An act to locate a state road from Clinton in Vermillion county, by Patton's mills, to the National road in Vigo county," and

A joint resolution of the General Assembly, authorizing the Secretary of State to purchase certain books for the use of the State library; in which the concurrence of the House of Representatives is requested.

The engrossed bill and joint resolution named in said message were severally read the first time and passed to a second reading.

The engrossed bill to repeal a part of the 23d section of an act incorporating congressional townships, and providing for public schools therein, approved February 10, 1831;

Was read the third time and passed.

On motion of Mr. Slaughter,

The title of said bill was amended so as to read "An engrossed bill to amend the 'act incorporating congressional townships, and providing for public schools therein,' approved Feb. 10, 1831:

Ordered, That said bill be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to locate a state road from Greenfield in Hancock county, by the way of Noblesville the county seat of Hamilton county, and from thence to intersect the Michigan road at or near where the Newcastle and Lafayette state road crosses the same;

Was read the third time;

On motion of Mr. Bell.

Ordered, That it lie on the table.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Aker to whom leave of absence was heretofore given, appeared and resumed his seat.

On motion of Mr. Lane,

The engrossed bill to revive an act entitled "An act for the relief of the subscribers to the building of the State Prison and for other

purposes," approved February 10, 1831, laid on the table this morning, was taken up;

And the question being put,

'Shall the bill pass?'

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

Engrossed bills and a joint resolution of the House of the following titles, to wit:

A bill to authorize the inhabitants of congressional township No 9, and range 7, to sell the school lands of said township,

A bill to amend the 24th section of an act to appropriate a part of the three per cent. fund and for other purposes, approved February 10, 1831,

A bill to repeal a part of the act entitled "An act making provision for expending the Mauks' ferry road fund, and for other purposes," approved January 28, 1831,

A bill to authorize the citizens of congressional township No. 20, north of range 10 west, in the county of Warren, to dispose of the school section therein,

A bill to refund the revenue of Grant county,

A bill authorizing Moses Robbins of Parke county Indiana, to sell the real estate of Prosper Foote, late of said county, deceased,

A bill to prevent the sale of ardent spirits to the Indians,

A bill to establish a state road from the county seat of Grant to the county seat of Elkhart,

A bill to change a part of the state road from Indianapolis via Danville and Rockville to Montezuma,

A joint resolution providing for the erection of a tomb-stone over the grave of the late Theodore C. Cone, Esq. deceased,

A bill authorizing a distribution of the money now due to road No. 8, and for other purposes,

A bill to amend an act entitled "An act establishing certain state roads therein named, and for other purposes," approved February 10, 1831,

A bill providing for a relocation of a part of the Fort Wayne state road,

A bill to repeal an act entitled "An act to authorize the board of justices of Bartholomew county to levy an additional tax," approved January 10, 1829,

A bill to amend the act entitled "An act to provide for the location of certain state roads therein named," approved February 10, 1831,

A bill to legalize the proceedings of school trustees of congressional township No. 5, north of range 4 east in Jackson county,

A bill to authorize the board of commissioners of Floyd county to contract for keeping and taking care of paupers of said county,

A bill to incorporate the Fredericksburgh bridge company,

A bill to legalize certain acts of the justices of the peace of this state,

A bill for the relocation of a part of the Williamsport State road,

A bill to locate a State road from Jefferson in Clinton county to Attica and from thence to Farmer's ford, and from thence to intersect the Williamsport State road in the direction to Chicago,

A bill to incorporate the Danville school society,

A bill to alter and relocate a part of the Vernon and Fort Wayne State road, and part of the Shelbyville State road in Rush county, and

A bill to provide for the location of a certain State road therein named,

Were severally read the third time and passed.

Ordered, That said bills be entitled 'acts,' and that the clerk carry them, together with said joint resolution, to the Senate and ask their concurrence.

The engrossed joint resolution from the Senate, on the subject of the Saline reservations, was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill authorizing Hiram Todd of Logansport to expend certain monies heretofore appropriated, on the State road from Lafayette via Delphi and Logansport to Fort Wayne was read the third time:

Mr. Wilson moved to lay said bill on the table;

Which motion did not prevail.

Mr. Wilson then moved to recommit said bill to a committee of the whole House for Monday next;

Which motion was decided in the negative.

A motion was then made by Mr. Wilson to recommit the same to a select committee;

Which was decided in the negative.

On motion of Mr. Bell,

The House reconsidered the vote given on the proposition to lay said bill on the table.

The question then recurred on said motion and being put,

It passed in the affirmative.

The engrossed bill to authorize John Lung and William Sill to apply for a writ of *ad quod damnum*, to erect a mill dam on Tippecanoe river, was read the third time, and

On motion of Mr. Angle,

Laid on the table.

The engrossed bill to locate a state road from Terre-Haute by the way of Rockville to Crawfordsville, was read the third time;

Mr. Huntington moved to lay it on the table;

Which motion did not prevail.

Mr. Huntington then moved to recommit the same to a select committee, with instructions to amend the bill by inserting the name of an additional commissioner, a citizen of Vigo county;

Which motion was decided in the negative, and

On the question,

'Shall the bill pass?'

It was carried in the affirmative.

Ordered, That the same be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to locate a state road from Connersville in Fayette county, to Raysville in Henry county;

Was read the third time, and

On motion of Mr. Willet,

Laid on the table.

The engrossed bill for the relief of William C. Bramwell, was read the third time, and

On motion of Mr. Cravens,

Recommitted to a select committee.

Ordered, That Messrs. Cravens, Vawter and Paddacks be that committee.

The engrossed bill to locate a state road from Spencer in Owen county, by way of Bowlinggreen in Clay county, to Terre-Haute in Vigo county;

Was read the third time, and

On motion of Mr. Wooden,

Recommitted to a select committee, with leave to amend it by striking out so much as authorizes the respective boards of county commissioners therein named to make an allowance for surveyors and chain men employed by the road commissioners.

Ordered, That Messrs. Wooden, Peyton and Huntington be that committee.

The engrossed memorial to the Congress of the United States, and joint resolution of the General Assembly of the State of Indiana, relative to the extinguishment of Indian title to lands within said State, was read the third time;

Mr. Lane moved that it be laid on the table;

Which motion did not prevail, and

On the question,

'Shall said memorial pass?'

It was carried in the affirmative.

Ordered, That the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate to repeal an act entitled "An act for the relief of certain purchasers of lands in the reserve township in Monroe county," approved February 1, 1831, was read the third time;

Mr. Maxwell moved that it be laid on the table; and
Before the decision was had thereon,

The House adjourned until to-morrow morning, nine o'clock.

WEDNESDAY MORNING, JANUARY 11, 1832.

The House met pursuant to adjournment.

Mr. Proffit presented a petition of sundry citizens of Pike county, praying for an appropriation of money out of the three per cent. fund to aid in building a bridge across Patoka, on the road leading from Mount Prospect to Petersburg;

Which was read and committed to the same committee of the whole House to which is committed a bill of the House on the same subject.

Mr. Hoover presented a petition of Mary Scott and others, citizens of Indianapolis, praying that said Mary may be divorced from her husband Samuel Scott;

Which was read and referred to a select committee of Messrs. Hoover, Brady and Bell.

Mr. Aker presented a petition of sundry citizens of Randolph county, praying a State road from Winchester to Newcastle, and for an appropriation of money thereon;

Which was read and referred to a select committee of Messrs. Aker, Harrod and Maxwell.

Mr. Bell presented a remonstrance of Robert N. Williams, John Berry and others, citizens of the county of Madison, against the location of a State road from Munceytown via Middletown to Pendleton;

Which was read and referred to the same select committee to which several petitions on that subject were referred.

Mr. Wilson presented a petition of sundry inhabitants of Carroll county, settlers upon lands selected by the State as canal lands praying relief in consequence of preemption rights lost to them by virtue of the aforesaid selection made of those lands by the State;

Which was read and referred to the committee on canals and internal improvements.

Mr. Wooden presented a petition of Elisha McGinnis and others praying an amendment of the law so that suits in civil cases before justices of the peace shall be brought in the township where the defendant actually resides;

Which was read and committed to the same committee of the whole to which a bill of this House on that subject is committed.

Mr. Peyton presented a petition of Salloman Grabb and others praying that a part of the territory of Putnam county may be attached to the county of Clay;

Which was read and committed to the same committee of the whole House to which a bill of this House on the same subject is committed.

Mr. Murray presented a petition of sundry citizens of Grant county praying a relocation of their seat of justice, and a remonstrance of other citizens of said county against such relocation;

Which were read and referred to a select committee of Messrs. Murray, Conner and Vawter.

Mr. Murray presented a petition of Thomas Kirby and others praying the location of a State road from Munceytown to Fort Wayne in a direct line;

Which was read and referred to a select committee of Messrs. Murray, Crumpton and Smiley.

Mr. Wooden presented a petition of Samuel Scott, John Johnson and Thomas Harvey, trustees of congressional township No. 9, north of range 4 west, in Owen county, praying the passage of a law legalizing their proceedings;

Which was read, and

On motion of Mr. Wooden,

Laid on the table.

Mr. Davis in behalf of a part of the select committee to which the subject was referred, made the following report:—

The select committee to which was referred a petition of sundry citizens of Harrison, praying to be attached to Floyd county, with instructions to report if any, what amount of surplus territory there is within the bounds of said county, report a bill on that subject, and also report that from the best information they can obtain from maps, and other sources, there is at this time between 440 and '50 square miles within the bounds of said Harrison county, independent of a large number of fractional sections which are not thrown into this calculation.

The bill accompanying said report entitled "A bill to attach a part of Harrison to the county of Floyd,"

Was read the first time, when

Mr. Slaughter moved that it be rejected,
Which motion was decided in the negative.
Ordered, That said bill pass to a second reading.

Mr. Frame from the select committee to which were referred two petitions of citizens of Rush county, in relation to a road therein named, reported a bill to relocate part of the Lawrenceburgh and Rushville state road, in Rush county, and for other purposes;
Which was read the first time and passed to a second reading.

Mr. Hanna from the select committee to which was referred the petition of sundry citizens of St. Joseph county on that subject, reported a bill legalizing the proceedings of the board of commissioners of St. Joseph county;
Which was read the first time and passed to a second reading.

Mr. Cravens from the select committee to which was recommitted the engrossed bill supplemental to an act entitled "An act to incorporate the Wabash insurance company," reported the same with sundry amendments;

Which were read and agreed to by the House.

Ordered, That said amendments be engrossed, and the bill read a third time to-morrow.

Mr. Vawter moved the following resolution,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of creating an executive or ministerial officer to the Supreme Court of this State, by the title of _____ to be appointed by said court, or on joint ballot of the Senate and House of Representatives; the duties, compensation and fees of said officer to be the same as are now allowed by law to the sheriff of Marion county, for services rendered in and for said court, with authority to make as many deputies as may be necessary to execute all orders, decrees, and process issuing out of said court, directed to such officer.

Mr. Stevenson moved to lay said resolution on the table;

Which motion was decided in the negative, and

On the question

"Shall the resolution be adopted?"

It was determined in the negative.

Mr. Morris moved the following resolution,

Resolved, That the Senate concurring therein, that this House will adjourn *sine die* on the 28th instant.

Which was read, when

Mr. Hoover moved that the further consideration of the same be indefinitely postponed.

Before a decision was had thereon,

Mr. Morris moved to lay said resolution on the table;

Which motion was decided in the negative, and

The question recurring on its indefinite postponement,
It passed in the affirmative.

On motion of Mr. Tebbs,

Resolved, That the Governor be requested to inform this House whether any evidence is on file in his office authorizing this State to claim and possess any salt spring or springs within the county of Dearborn, under an act of Congress of the 16th April, 1816.

On motion of Mr. Culley,

The resolution moved by him and laid on the table on the 22d ult. was taken up;

Which resolution is as follows, to wit:—

“Resolved that the committee on roads be directed to enquire into the expediency of repealing so much of the road law as authorizes a tax on lands for road purposes, and in lieu thereof reporting a bill authorizing an *ad valorem* tax on lands, personal property, goods, wares and merchandize, for building bridges, repairing roads and high-ways, to be levied and expended under the direction of the county commissioners of the proper county in which the tax aforesaid shall be collected.”

Mr. Decker moved to amend said resolution so as to confine its provisions to Dearborn county.

Mr. Bryant moved to amend the said amendment so as also to include the county of Parke.

Which was accepted by Mr. Decker as a modification of his amendment; and

Pending the question thereon,

Mr. Cravens moved that the further consideration of said resolution and proposed amendment be indefinitely postponed;

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Bell, Bonner, Clawson, Cotton, Cox, Cravens, Crume, Crumpton, Davis, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Heaton, Henderson, Hite, Hoover, Jones, Lane, Logan, Lynd, Mastin, Maxwell, Noble, Paddacks, Parks, Polke, Reid, Reynolds, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Williams, and Wooden—47.

And those who voted in the negative are,

Messrs. Alley, Baber, Brady, Bryant, Casey, Clark, Conner, Culley, Hanna, Hargrove, Harrod, Henley, Huntington, Morris, Murray, Nelson, Peyton, Robinson, Tebbs, Willet, Wilson and Moore, Speaker—22.

And so the further consideration of said resolution and proposed amendment was indefinitely postponed.

Mr. Stanford after having obtained leave presented a bill to amend an act entitled "An act for opening and repairing public roads and highways,"

Which was read the first time and passed to a second reading.

Mr. Thornton asked and obtained in behalf of himself and Mr. Livingston, two of the managers on the part of the House, to conduct the prosecution of Young L. Hughes before the Senate, sitting as a court of impeachment, leave to retire from the Hall during the sitting of the House for the purpose of attending to that duty.

The House then proceeded to consider the orders of the day, and Resumed the consideration of the engrossed bill from the Senate to repeal an act entitled "An act for the relief of certain purchasers of lands in the reserve township in Marion county," approved Feb. 1, 1831, depending at the last adjournment, when

Mr. Maxwell withdrew his motion to lay said bill on the table;
Which motion was thereupon renewed by Mr. Davis;
And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Bell, Bryant, Casey, Clark, Cox, Cravens, Crumpton, Davis, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Harrod, Heaton, Henderson, Henley, Hite, Lynd, Mastin, Moyer, Paddacks, Parks, Reynolds, Rose, Ruddick, Slaughter, Steele, Wallace, Wooden and Moore, Speaker—33.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bonner, Brady, Clawson, Conner, Crume, Culley, Grover, Hanna, Hargrove, Hoover, Huntington, Jones, Lane, Logan, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Polke, Proffit, Reid, Robinson, Secrest, Smiley, Stanford, Stevenson, Tebbs, Vawter, Willet, Williams and Wilson—37.

And so said motion was decided in the negative.

Mr. Stevenson moved to reconsider the vote just given on the question to lay the bill on the table;

Which motion was decided in the negative.

Mr. Slaughter moved to postpone the further consideration of said bill until Monday next;

Which motion was decided in the negative.

And on the question shall the bill pass?

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Bonner, Brady, Clawson, Conner, Cravens, Crume, Crumpton, Culley, Flake, Grover, Hanna, Hargrove, Heaton, Huntington, Jones, Logan, Mastin, Maxwell, Morris, Murray, Nelson, Peyton, Polke, Proffit, Reid, Robinson, Secrest, Smiley, Stanford, Stevenson, Tebbs, Vawter and Willet—36.

And those who voted in the negative are,

Messrs. Baber, Bell, Bryant, Casey, Clark, Cox, Decker, Durham, Ferguson, Frame, Gardner, Griggs, Harrod, Henderson, Henley, Hite, Hoover, Lane, Lynd, Moyer, Noble, Paddacks, Parks, Reynolds, Rose, Ruddick, Slaughter, Steele, Wallace, Williams, Wooden, and Moore, Speaker—32.

And so said bill passed:

Ordered, That the clerk inform the Senate thereof.

The engrossed memorial and joint resolution from the Senate relative to a survey of the Maumee river and asking of Congress in favour of Indiana discretionary power as to the disposition of our canal lands lying in the State of Ohio, was read the second and third times (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Logan,

The several orders of the day which precede bills upon their third reading were for the present postponed and the House proceeded to consider those bills.

Engrossed joint resolutions and a bill from the Senate of the following titles to wit:

A joint resolution of the General Assembly for the relief of Daniel Pattengale,

A joint resolution of the General Assembly soliciting from Congress a donation of lands to actual settlers in indigent circumstances; and

A bill for the relocation of a part of the State road from Martinsville to Levenworth,

Were severally read the third time and passed.

Ordered, That that the clerk inform the Senate thereof.

The following engrossed memorial and engrossed bills of the House, to wit:

A memorial of the General Assembly of the State of Indiana relative to the Louisville and St. Louis mail route,

A bill to establish a State road from Knightstown in Henry county by the way of Pendleton in Madison county to Strawtown in Hamilton county,

A bill declaring Hogan creek in Dearborn county a public highway,

A bill to provide for the election of electors of President and Vice President of the United States,

A bill to incorporate the Decatur county Seminary,

A bill to authorize the trustees of Seminary fund of Pike county to loan said fund to the board of commissioners of said county and for other purposes,

A bill for the relief of Francis McClelland of Marion county,

A bill providing for the location of a State road from Woods' ferry on the East Fork of White river in Lawrence county to Bloomfield in Greene county,

A bill amendatory of an act to provide for the location of a certain State road therein named approved February 10, 1831,

A bill to amend the act entitled "an act allowing and regulating the writ of *ad quod damnum*" approved December 20, 1823,

A bill to incorporate the Green county Seminary,

A bill to amend the act regulating general elections approved January 31, 1831; and

A bill to provide for the relocation of a part of the Fort Wayne and Winchester State roads,

Were severally read the third time and passed.

Ordered, that said bills be entitled acts and that the Clerk carry them together with said memorial to the Senate and ask their concurrence,

The engrossed bill relative to the Sullivan county Seminary was read the third time, and

On motion of Mr. Davis,

Laid on the table.

The engrossed bill to provide for the location of a State road therein named, was read the third time.

On motion of Mr. Conner,

The blank in said bill was filled with the words "county seat of Boon," (no member dissenting) it being one of the points named in said road;

And the question being put,

"Shall the bill pass?"

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed joint resolution respecting the plan of a State House, was read the third time; and

On motion of Mr. Hanna,
Laid on the table.

Messrs. Thornton and Livingston, managers for the House, of the prosecution against Young L. Hughes, who had been absent from the Hall on that duty by leave, now resumed their seats.

The engrossed bill for the relief of John Boner of Jennings county was read the third time; and

On the question,
'Shall said bill pass?'

The ayes and noes being requested by two members.

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Brady, Casey, Clark, Clawson, Conner, Cotton, Cox, Crume, Culley, Davis, Decker, Darham, Finch, Flake, Frame, Gardner, Griggs, Hanna, Hargrove, Harrod, Heaton, Henley, Huntington, Lane, Livingston, Mastin, Maxwell, Morris, Murray, Noble, Paddacks, Peyton, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Willet, Wilson, and Moore, Speaker—56.

And those who voted in the negative are,

Messrs. Bryant, Cravens, Crumpton, Ferguson, Grover, Henderson, Hite, Hoover, Jones, Logan, Lynd, Moyer, Nelson, Parks, Polke, Smiley, and Wooden—17.

And so said bill passed.

Ordered, That the same be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate to amend an act for the prevention of frauds and perjuries, was read the third time, and

On motion of Mr. Thornton,
Laid on the table.

The engrossed memorial and joint resolution from the Senate, to the Congress of the United States, on the subject of improving the navigation of the Wabash river, was read the second time and committed to the same committee of the whole House, to which is committed a similar joint resolution originating in this House.

The engrossed bill from the Senate, to amend an act entitled "an act to establish and regulate ferries," was read the second time:

Mr. Vawter moved to commit it to a committee of the whole House or to-morrow.

While the question thereon was depending, Mr. Hanna moved that it be indefinitely postponed, and
 Before a decision was had on that question,
 A motion was made by Mr. Huntington to lay the bill on the table;
 Which motion was decided in the negative.

The question recurred on the motion of Mr. Hanna to postpone said bill indefinitely, and
 Being put,
 It passed in the affirmative.

On motion of Mr. Robinson,
Ordered, That he have leave to withdraw the petition accompanying said bill.

The engrossed bill from the Senate supplemental to an act for the relief of the subscribers to the building of the State prison, approved January 10, 1831, was read the second time, and

On motion of Mr. Ferguson,
 Laid on the table.

The engrossed bill from the Senate supplementary to an act to authorize the Agent of State for the town of Indianapolis, to lay off the land belonging to the State into lots, and offer the same for sale, was read the second time and committed to a committee of the whole House for to-morrow.

The engrossed bill from the Senate, to authorize certain proceedings of the board of commissioners of Union county, was read the second time and ordered to pass to a third reading to-morrow.

And then the House adjourned until to-morrow morning at nine o'clock.

THURSDAY MORNING, JANUARY, 12, 1832.

The House met pursuant to adjournment.

Mr. Thornton asked and obtained for himself and Mr. Livingston, leave to retire from the Hall, for the purpose of concluding the prosecution of Young L. Hughes, before the Senate sitting as a court of impeachment.

The Speaker laid before the House the following communication from the Auditor of Public Accounts;

Which was read and referred to the committee of ways and means.

AUDITOR'S OFFICE,

INDIANAPOLIS, January 11, 1832.

Mr. Speaker,

SIR:—In compliance with a resolution of the House of Representatives, I herewith lay before the House an estimate of the Lands and Polls subject to taxation, in the State of Indiana.

Yours respectfully,

M. MORRIS, A. P. A.

An Estimate of the taxable Lands and Polls.

COUNTIES.	LANDS.			POLLS.
	First.	Second.	Third.	
Allen	5,113	2,861	223	270
Bartholomew	6,167	41,417	4,260	958
Boon		1,234		197
Clark	13,582	64,899	97,006	1,780
Clay	992	4,079	320	317
Cass				276
Clinton				351
Crawford	85	10,654	16,801	478
Carroll	4,161	1,719		407
Dearborn	9,768	39,421	126,359	2,334
Decatur	5,621	71,364	330	1,091
Daviess	5,631	38,574	16,147	773
Dubois	664	14,777	4,338	285
Delaware		2,840		406
Elkhart				321
Fayette	1,841	69,914	47,399	1,417
Floyd	3,152	25,377	36,206	1,021
Fountain	22,285	18,332		1,453
Franklin	8,549	75,234	44,222	1,445
Gibson	15,120	37,799	26,146	952
Green	1,139	17,910	13,640	672
Grant				<i>no return</i>
Hamilton	6,879	17,686		367
Harrison	1,335	29,181	137,040	1,541
Hendricks		25,230	160	837
Henry	468	44,894	10,110	1,239
Hancock	2,062	4,963	160	311
Jackson	686	42,681	16,937	805
Jefferson	4,919	62,619	69,542	1,878
Jennings	422	33,346	18,466	699
Johnson	9,613	25,244	499	800

Knox	1,551	53,374	87,696	1,109
Lawrence		57,581	53,189	1,406
Madison	2,137	6,502		458
Marion	8,590	84,183	4,661	1,380
Martin	6,105	12,706	3,804	336
Monroe	1,637	32,990	26,608	1,206
Montgomery	16,365	48,485	161	1,454
Morgan	4,556	31,849	2,380	932
Orange		32,030	56,655	1,184
Owen	4,228	18,090	17,312	719
Parke	1,980	65,347	5,176	1,392
Perry	7,806	11,242	8,060	535
Pike	2,376	22,949	3,370	421
Posey	2,206	48,798	38,742	1,094
Putnam	3,530	49,175	1,560	1,563
Randolph	240	25,159	22,700	578
Ripley		13,854	43,978	794
Rush	160	25,374	1,831	1,808
Scott	590	138,100	9,035	4,68
Shelby	791	65,704	3,421	1,109
Spencer	9,860	16,495	16,077	548
Sullivan	2,782	40,137	15,785	886
Switzerland	6,242	70,843	22,143	1,118
St. Josephs				74
Tippecanoe	9,118	10,866	1,453	1,615
Union	1,724	64,874	31,989	1,217
Vanderburgh	8,449	10,157	11,543	462
Vermillion	2,900	36,076	3,083	1,101
Vigo	39,998	51,992	1,146	1,282
Warrick	2,630	25,353	310	524
Washington	913	61,339	101,606	1,952
Wayne	6,375	87,929	124,289	2,963
Warren	4,991	808		586

Mr. Morris moved that 150 copies of said report be printed for the use of the members of this House.

Mr. Wooden proposed 75 copies;

Mr. Proffit proposed 300—and

The question being put on the last named number,

It passed in the affirmative.

Mr. Morris from the joint committee on enrolled bills, reported that they have compared the enrolled with engrossed bills entitled “An act supplemental to an act providing means for the construction of the Wabash and Erie canal.”

They have also compared the enrolled with engrossed joint resolution entitled

"A joint resolution on the subject of the saline reservations," and find the same truly enrolled.

Whereupon,

The Speaker signed said bill and joint resolution.

Ordered, That the Clerk carry them to the Senate for the signature of their President.

Mr. Ferguson presented a petition of Jonathan Clark, praying the passage of a law authorizing him to convey certain real estate of his deceased wife, pursuant to a contract made by himself and wife in her life time;

Which was read and referred to the committee on the judiciary.

Mr. Frame presented three petitions, to wit:

One of Joseph Lane and others; one of Richard Hackleman and others, and one of John S. Springer and others, severally praying that the survey and location made by J. B. Tallbott of the road leading from Napoleon to the house of Jehu Perkins in Rush county, may be confirmed and established as the route of said road; such survey of necessity varying from a direct course; and also for a continuation of said road to the National turnpike;

Which were read and referred to the committee on roads.

Mr. Aker presented a petition of Christopher W. Emerick, praying to be divorced from his wife Elizabeth;

Which was read and referred to a select committee of Messrs. Aker, Polke, Griggs and Gardner.

Mr. Wooden presented a petition of Joseph Nichols, and sundry other citizens of Owen county, praying that said Joseph may be divorced from his wife Mimy;

Which was read and referred to a select committee of Messrs. Wooden, Reynolds, Hargrove and Bell.

Mr. Hoover presented three remonstrances of citizens of Wayne county, against any alteration in the boundary lines of said county, and an accompanying document;

Which were read, and

On motion of Mr. Hoover,

Laid on the table.

Mr. Hanna presented a petition of citizens of Elkhart county, praying that the bounds of their county may be extended south to the southern boundary of town thirty-five;

Which was read and referred to a select committee of Messrs. Hanna, Hoover and Clawson.

Mr. Crume presented a petition of sundry citizens of the county of Wayne, praying that a part of the territory of said county may be attached to the county of Fayette;

Which was read—and
On motion of Mr. Crume,
Laid on the table.

Mr. Steele presented two remonstrances of citizens of the county of Wayne, against attaching any part of said county to any other county or counties;

Which were read—and
On motion of Mr. Steele,
Laid on the table.

Mr. Morris from the committee on the affairs of the town of Indianapolis, to which was referred a resolution of this House, directing an enquiry into the expediency of providing for a sale of an additional number of lots in the town of Indianapolis, reported,

That as there is a bill from the Senate, now before this House, embracing the object of the resolution, they therefore ask to be discharged from the consideration of the same.

Ordered, That the committee be discharged accordingly.

Mr. Logan from the committee on claims, to which was referred the account of Dunlap & M'Dougal against the state of Indiana reported, that the committee are of opinion that they ought to be allowed the amount of said account and recommend the adoption of the following resolution:

Resolved, That the committee of ways and means be directed to allow to Dunlap and M'Dougal, in the specific appropriation bill, the sum of \$30 43½, it being the amount of their account against the state, dated January 9, 1832;

Which resolution was read and agreed to by the House.

Mr. Wilson from the committee on roads to which were referred the petitions of citizens of Vigo and Sullivan counties, on that subject, reported a bill providing for the relocation of a part of the State road leading from Terre-Haute via Carlisle to Mount Pleasant;

Which was read the first time and passed to a second reading.

Mr. Wilson from the same committee, to which was referred a remonstrance of sundry citizens of Vigo county, on the subject of a State road from Bono to Terre-Haute, reported, that it was unnecessary to legislate on the subject;

Which was read and concurred in.

On motion of Mr. Huntington,
Leave was given him to withdraw said remonstrance.

Mr. Angle from the committee on roads to which was referred a petition of the citizens of Montgomery county on that subject, reported a bill to extend a State road therein named;

Which was read the first time and passed to a second reading.

Mr. Wooden made the following report:

A majority of the select committee (being Messrs. Peyton and Huntington) to whom was recommitteed "an engrossed bill to locate a State road from Spencer in Owen county, by the way of Bowlinggreen in Clay county, to Terre-Haute in Vigo county," with leave to amend the same so as to leave no discretion to the commissioners therein named, and to employ a surveyor and chain carriers in locating the same, have directed me to report the same back to this House without amendment.

The question was then put,

'Shall said bill pass?

And carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Clark from the select committee to which was referred the petition of Curtis Smith and others, reported a bill for the relief of said Smith:

Which was read the first time and passed to a second reading.

Mr. Wilson made the following report, which was read and agreed to by the House.

The select committee to whom was referred the petition of sundry citizens of Cass county, praying for a new county to be laid off from the county of Cass and the territory attached thereto, have according to order had the subject under consideration and are of opinion that the prayers of the petitioners cannot be granted, as it would reduce the county of Cass below its constitutional size:—therefore your committee prays to be discharged from the further consideration of the subject.

On motion of Mr. Wilson,

Leave was granted to him to withdraw the petition named in said report.

Mr. Finch from the select committee to which was referred the petition of James Hornback and others, praying a new county to be formed out of a part of Tippecanoe county and territory attached to Tippecanoe and Carroll counties, reported that they have had the subject under consideration and are of opinion that it is inexpedient to legislate upon that subject at this time, as it would reduce Tippecanoe county below its constitutional limits:

Which was read and concurred in.

Mr. Alley moved the following resolution,

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of passing a law giving defendants in all suits at law where they fail or refuse to stay execution, the benefit of having their goods and chattels, lands and tenements (as the case may

be) sold on a credit, the same length of time they could have had a stay, provided they had taken the stay by giving bail.

Mr. Cravens moved to amend said resolution, by striking out all after the word "sold" and inserting in lieu thereof the words "for cash."

Pending the question thereon,

Mr. Logan moved to postpone indefinitely the further consideration of said resolution and proposed amendment;

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Bonner, Cravens, Crume, Durham, Ferguson, Flake, Hargrove, Henderson, Hoover, Huntington, Jones, Lane, Logan, Maxwell, Moyer, Nelson, Paddacks, Parks, Polke, Reid, Rose, Slaughter, Tebbs, Wallace, Williams, Wooden and Moore, Speaker—28.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Clawson, Conner, Cox, Crumpton, Culley, Davis, Decker, Finch, Frame, Gardner, Griggs, Grover, Harrod, Heaton, Hite, Livingston, Lynd, Mastin, Morris, Murray, Noble, Proffit, Reynolds, Robinson, Ruddick, Secrest, Smiley, Stanford, Steele, Stevenson, Vawter, and Willet—40.

And so said motion was decided in the negative.

Mr. Davis moved to lay said resolution and proposed amendment on the table;

Which motion did not prevail.

The question then recurred on said amendment,

And being put,

Was decided in the negative.

And on the question shall said resolution be adopted?

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Casey, Clark, Clawson, Cox, Crumpton, Culley, Decker, Finch, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henley, Hite, Lynd, Mastin, Morris, Murray, Noble, Proffit, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Thornton and Willet—35.

And those who voted in the negative are,

Messrs. Aker, Bonner, Brady, Bryant, Conner, Cotton, Cravens, Crume, Davis, Durham, Ferguson, Flake, Frame, Hargrove, Henderson, Hoover, Huntington, Jones, Lane, Livingston, Logan, Maxwell, Moyer, Nelson, Paddacks, Parks, Polke, Reid, Ruddick, Slaughter,

ter, Smiley, Tebbs, Vawter, Wallace, Williams Wooden and Moore.
Speaker—37.

And so said resolution was not adopted.

Mr. Nelson, after having obtained leave, presented a bill to legalize the sale of school lands in the county of Montgomery;

Which was read the first time and passed to a second reading.

On motion of Mr. Crume,

The bill to alter and establish the lines of Wayne, Union, Fayette and Henry, heretofore laid on the table, and a petition and sundry remonstrances relating thereto, laid on the table this day were taken up; when

Mr. Steele withdrew his motion to postpone said bill indefinitely, depending when the bill was laid on the table, and made a motion to postpone the further consideration of said bill, petition and remonstrances until the first Monday in December next:

Before a decision was had thereon,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

Mr. Hoover from the joint committee on enrolled bills reported,

That they did, on this day, present to the Governor for his approval and signature, the following enrolled bills, entitled acts, and one joint resolution, to wit:

An act to provide for the changing a part of the State road, leading from New Albany to Salem, within Floyd county;

An act to provide for changing a part of the State road leading from Indianapolis, by way of Danville and Rockville to Montezuma;

An act supplementary to an act providing means for the construction of the Wabash and Erie canal; and

A joint resolution on the subject of the saline reservations.

The House then resumed the consideration of the bill to alter and establish the lines of the counties of Wayne, Union, Fayette and Henry, together with the petition and remonstrances relating thereto, depending at the last adjournment—and

The question recurring on the motion of Mr. Steele to postpone the same until the first Monday in December next; and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Baber, Brady, Casey, Conner, Cravens, Culley, Decker, Ferguson, Flake, Frame, Harrod, Henderson, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer,

Paddacks, Parks, Peyton, Polke, Reid, Reynolds, Robinson, Slaughter, Steele, Stevenson, Tebbs, Vawter and Wallace—36.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bell, Clawson, Cotton, Cox, Crume, Crumpton, Davis, Durham, Finch, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henley, Huntington, Murray, Nelson, Noble, Proffit, Rose, Ruddick, Secrest, Smiley, Stanford, Thornton, Willet, Williams, Wilson, Wooden, and Moore, Speaker—35.

And so the further consideration of said bill, petition and remonstrances was postponed until the first Monday in December next.

On motion of Mr. Crume,

Leave was granted to him to withdraw said petition.

The House then proceeded to consider the orders of the day:

The bill to divorce Catharine Russell from her husband James Russell,

The bill to amend an act to provide for the commissioning of sheriffs and coroners and to regulate their duties, approved January 7, 1831, and

The bill for the relief of James Putman and Mary his wife,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill to provide for the location of a road from New Albany to Jeffersonville, was read the second time and committed to a committee of the whole House for to-morrow.

The bill to incorporate the Harrison and Indianapolis rail-road company was read the second time; and

On motion of Mr. Reid,

Laid on the table.

The bill to attach a part of Shelby county to Decatur county, was read the second time. and

On motion of Mr. Morris,

Indefinitely postponed.

The memorial and joint resolution of the General Assembly of the state of Indiana relative to the public lands, was read the second time.

On motion of Mr. Crume,

The same was amended, by inserting Waterloo as a point in the road therein named (which road is proposed to run from the Southern bend of the St. Joseph, to meet the Oxford and Hamilton turnpike at the line between the States of Ohio and Indiana.)

On motion of Mr. Grover,

The same was further amended by inserting Brownsville as another point in said road,

It was then

Ordered, That said bill be engrossed, and read a third time to-morrow.

The bill to provide for taking the valuation of taxable property in this state, preparatory to the introduction of the *ad valorem* system of taxation, was read the second time:

Mr. Lane moved that it be committed to a committee of the whole House for to-morrow;

Pending the question thereon,

Mr. Crume moved that the further consideration thereof be indefinitely postponed; and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Bell, Bonner, Casey, Cotton, Cox, Cravens, Crume, Culley, Durham, Ferguson, Flake, Gardner, Griggs, Grover, Henderson, Henley, Hite, Hoover, Jones, Livingston, Logan, Mastin, Noble, Paddacks, Parks, Polke, Reid, Reynolds, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Tebbs, Wallace, Williams and Moore, Speaker—39.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Brady Bryant, Clark, Clawson, Conner, Crumpton, Davis, Decker, Finch, Frame, Hanna, Hargrove, Harrod, Heaton, Huntington, Lane, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Peyton, Proffit, Robinson, Secrest, Stevenson, Thornton, Vawter, Willet, Wilson, and Wooden—35.

And so the further consideration of said bill was indefinitely postponed.

And then the House adjourned until to-morrow morning at nine o'clock.

FRIDAY MORNING, JANUARY, 13, 1832.

The House met pursuant to adjournment.

Mr. Morris from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills, memorials and joint resolutions entitled as follows:—

An act to provide for changing a part of the State road from Martinsville to Levenworth,

An act to repeal an act entitled "An act for the relief of certain purchasers in the reserved township in Monroe county," approved February 1, 1831,

A memorial and joint resolution relative to a survey of the Maumee river and asking of Congress in favor of Indiana, discretionary power as to the disposition of our canal lands lying in the state of Ohio,

A joint resolution of the General Assembly soliciting of Congress a donation of lands to actual settlers in indigent circumstances, and find the same truly enrolled.

Whereupon,

The Speaker signed said bills, memorial and joint resolutions.

Ordered, That the Clerk carry them to the Senate for the signature of their President.

Mr. Frame presented a remonstrance of Job Pugh and others, citizens of the counties of Rush and Shelby against the establishment of a state road from Mud creek in Rush county, through Marion to Hankins', on the Michigan road;

Which was read—and

On motion of Mr. Frame,

Laid on the table.

Mr. Stevenson presented a petition of John Lynch and George Secrest, citizens of Putnam county Indiana, praying an allowance for pursuing to Kentucky, Robert Hodge and Andrew Hodge, charged with horse stealing;

Which was read and referred to the committee on claims.

Mr. Thornton presented a petition of Woodbridge Parker and others, citizens of Washington county, praying the passage of a law incorporating a rail road company, from New Albany via Salem, &c. to Indianapolis;

Which was read and referred to the committee on canals and internal improvements.

Mr. Wooden from the select committee to which was referred the petition of Joseph Nichols, reported a bill to divorce Joseph Nichols from his wife Mimy Nichols;

Which was read the first time and passed to a second reading.

Mr. Hoover from the select committee to which was referred a petition of sundry citizens of Wayne county, reported a bill to amend an act entitled "An act to locate a state road from Newcastle in Henry county to Milton in Wayne county;

Which was read the first time and passed to a second reading.

On motion of Mr. Hanna,

Resolved, That the House of Representatives reciprocate the resolution of the Senate of the 9th instant, instructing the joint committee on public buildings to address a note to Mr. Ithiel Town, relative to further drawings, specifications, &c. of a State House.

Ordered, That the clerk inform the Senate thereof.

Mr. Noble after having obtained leave, presented a bill to amend an act entitled "An act to incorporate the Franklin county seminary" approved January 22d, 1830;

Which was read the first time and passed to a second reading.

Mr. Hanna after having obtained leave, presented a bill to legalize the proceedings of David Miller;

Which was read the first time and passed to a second reading.

On motion of Mr. Finch,

The engrossed bill to authorize John Lung and William Sill to apply for a writ of *ad quod damnum*, to erect a mill dam on Tippecanoe river, heretofore laid on the table, was taken up;

On motion of Mr. Hanna,

Ordered, That said bill be committed to a select committee with instructions to amend it by inserting a provision to the following effect, to wit:—

"Provided moreover, that nothing in this act shall be so construed as to permit said Lung and Sill to make a dam over said river, without providing a suitable slope or lock in said dam so as not to injure the navigation of said stream."

Whereupon,

Messrs. Hanna, Finch and Thornton were appointed that committee.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker

That Senate has passed an engrossed bill entitled "an act to amend the act entitled 'an act relative to crime and punishment,'" approved February 10, 1831—also

A joint resolution relative to a more perfect organization of the militia of the several States;

In which the concurrence of the House of Representatives is requested.

The said bill and joint resolution were severally read the first time and passed to a second reading.

Mr. Vawter after having obtained leave, presented a bill authorizing a change in part of the Madison and Brownstown state road;

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The bill for the more permanent establishing of the line dividing the counties of Vermillion and Warren,

The bill providing for draining the swamps, ponds, marshes and other low lands in the county of Tippecanoe, and

The bill to aid the citizens of Putnam county to build a bridge across Raccoon creek;

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The bill to repeal a part of an act entitled "an act to regulate marriages" approved February 4, 1831, was read the second time;

(The said bill provides for a repeal of the fifth section of said act;)

Mr. Wilson moved that the further consideration of said be indefinitely postponed;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cravens, Crumpton, Decker, Durham, Finch, Flake, Frame, Griggs, Grover, Harrod, Heaton, Hite, Jones, Logan, Lynd, Mastin, Maxwell, Morris, Murray, Noble, Paddacks, Parks, Proffit, Reid, Robinson, Rose, Ruddick, Smiley, Stanford, Steele, Thornton, and Wilson—43.

And those who voted in the negative are,

Messrs. Alley, Angle, Cox, Crume, Culley, Davis, Ferguson, Gardner, Hanna, Hargrove, Henderson, Henley, Hoover, Huntington, Lane, Livingston, Moyer, Nelson, Peyton, Polke, Reynolds, Secrest, Slaughter, Stevenson, Tebbs, Vawter, Wallace, Willet, Williams, Wooden, and Moore, Speaker—31.

And so the further consideration of said bill was indefinitely postponed.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Finch moved that the several orders of the day which preceed the bill to ratify and confirm an act of the Legislature of the State of Kentucky incorporating a company to build a bridge across the Ohio river at the falls be for the present postponed, and

After discussion thereon,

Mr. Finch withdrew said motion:

Whereupon

The same motion was renewed by Mr. Proffit;

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Angle, Brady, Bryant, Casey, Clark, Conner, Cotton, Cox, Davis, Decker, Durham, Ferguson, Finch, Frame, Grover, Harrod, Heaton, Henderson, Henley, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Nelson, Noble, Paddacks,

Parks, Peyton, Polke, Proffit, Rose, Ruddick, Slaughter, Smiley, Steele, Wallace, Willet, Wilson, and Wooden—44.

And those who voted in the negative are,

Messrs. Aker, Alley, Baber, Bell, Bonner, Clawson, Cravens, Crume, Crumpton, Culley, Flake, Gardner, Griggs, Hanna, Hargrove, Hite, Maxwell, Morris, Murray, Reid, Reynolds, Robinson, Secrest, Stanford, Stevenson, Tebbs, Thornton, Vawter, Williams and Moore, Speaker—30.

And so said motion was carried in the affirmative.

The said bill was then read the second time,

Mr. Davis moved to commit it to a committee of the whole House for this day now,

Mr. Maxwell proposed to-morrow,

Mr. Robinson proposed Monday next,

And the question being put thereon it was decided in the negative,

The question recurring on committing the bill to a committee of the whole House for to-morrow;

It passed in the affirmative.

The bill supplemental to an act confirming to John J. Akin, Alexander Walker and John J. Livingston certain rights, and

The bill to authorize the Owen circuit court to change the venue in a certain case therein named;

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill relative to wharves, ferries, &c.; and

The engrossed bill from the Senate to extend the powers of the Hanover academy,

Were severally read the second time and committed to a committee of the whole House for to-morrow.

The bill for the relief of John M. Coleman and for other purposes was read the second time, and

On motion of Mr. Gardner,

The blank in said bill relative to the penalty of the bond to be executed by said Coleman, was filled with the words "two thousand dollars," and

The question being put,

Shall said bill be engrossed and read a third time to-morrow?

It passed in the affirmative.

Whereupon

Mr. Vawter moved to reconsider the vote given on said question;

Which motion was decided in the negative.

The bill to authorize David Conner to erect a mill dam across the Mississinewa river was read the second time;

Mr. Murray moved to commit it to a select committee:

Mr. Hanna proposed a committee of the whole;

A division of the question was called for by Mr. Thornton, and The first branch thereof being put, to wit:

‘Shall said bill be committed?

It passed in the affirmative.

The other part of said question being put, to wit:

‘Shall the said committee be a select committee?

It was carried in the affirmative.

Ordered, That Messrs. Murray, Conner and Aker be that committee.

The bill for the establishment of a road therein named was read the second time—and

The remonstrance of Job Pugh and others, on the same subject, presented this day by Mr. Frame and laid on the table, having been taken up, on motion of Mr. Frame, by the consent of the House,

A motion was thereupon made by Mr. Frame that the further consideration of said bill be indefinitely postponed, and

The question being put thereon,

It passed in the affirmative.

The engrossed bill from the Senate supplemental to an act prescribing the mode of changing the venue, approved January 28, 1831, was read the second time and ordered to be read a third time on tomorrow.

The engrossed bill from the Senate to establish a State road from Connersville in Fayette county to Raysville on the National Road in Henry county was read the second time.

Leave being given,

Mr. Crume presented a petition of the commissioners of Fayette county, praying that so much of the State road from Connersville to Centreville as lies between the first named place and Goodlander's mill may be vacated; which was read and directed to accompany said bill.

Mr. Crume moved to amend the bill, by adding the following to the first section thereof, viz:

“Provided however, that in locating such part of said road as may lie within the county of Fayette, the commissioner locating the same, shall not be authorized to locate said road on any improved land, without the consent thereto of the owner of such improved land can be obtained;”

Mr. Willet moved to amend said amendment, by inserting therein, after the word “Fayette,” the words “and Rush;”

Which motion passed in the affirmative.

Mr. Stanford moved further to amend said amendment, by extending its provisions to improved land in the county of Henry;

Which motion was carried in the affirmative, and

The question being put on said proposed amendment as amended, It passed in the affirmative.

On motion of Mr. Crume,

The said bill was further amended by adding the following as an additional and fourth section, to wit:

"SEC. 4. And be it further enacted, that so much of a State road leading from Connersville in Fayette county, by way of Goodlander's mill to Centerville in Wayne county, as lies between the town of Connersville and Goodlander's mill in Fayette county be and the same is hereby vacated."

On motion of Mr. Stanford,

The said bill was further amended, in the third section thereof, which provides for an allowance to the commissioner, surveyor, chain carriers and marker, to be made by the boards doing county business in the counties of Fayette, Rush and Henry respectively, so as to direct that each county shall be liable for those charges, in proportion to the length of the road in it.

The said amendments were then ordered to be engrossed and the bill read a third time on to-morrow.

The engrossed bill from the Senate, declaratory of divers parts of the acts, joint resolutions and memorials, passed at the last session of the General Assembly was read the second time.

Mr. Vawter moved to commit it to a committee of the whole House for to-morrow;

Which motion did not prevail.

Mr. Hanna moved that it be committed to a committee on the judiciary;

Which motion was decided in the negative.

It was then ordered that said bill pass to a third reading on to-morrow.

And then the House adjourned until to-morrow morning nine o'clock.

SATURDAY MORNING, JANUARY 14, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication from his Excellency the Governor:

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, JANUARY 13, 1832.

SIR—Mr. Israel P. Griffith has been appointed Private Secretary,

and is the authorized bearer of such communications as the Executive may have to make to the House of Representatives.

Very Respectfully,

N. NOBLE.

The Hon. H. H. MOORE,
Speaker of the House of Representatives.

Mr. Morris from the joint committee on enrolled bills reported, that they have compared the enrolled with the engrossed joint resolution, entitled

"A joint resolution of the General Assembly, for the relief of Daniel Pattingale;"

And find the same truly enrolled.

Whereupon,

The Speaker signed said joint resolution.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Hanna presented a petition of James Avaline and others praying the location of a direct road from Munceytown to Fort Wayne;

Which was read and referred to the same select committee as a former petition of the same kind from citizens of Delaware county.

Mr. Culley presented a petition of James Blake and Samuel Merrill praying the legislature to relieve them from liability for expenses assumed by them in grading Washington street in Indianapolis opposite the State House square;

Which was read and referred to the committee on claims.

Mr. Hanna presented a petition of citizens of Elkhart county praying that a part of the territory of said county may be attached to the county of St. Joseph;

Which was read and referred to a select committee of Messrs. Hanna, Brady and Grover.

Mr. Cravens presented a petition of R. C. Talbott and John Alling praying that payment may be made to them out of the three per cent fund of the balance due on certain lost drafts;

Which was read and referred to a select committee of Messrs. Cravens, Bell and Casey.

Mr. Frame from the select committee to which were referred three petitions of citizens of Rush county on that subject reported a bill to establish a State road from Napoleon in Ripley county to John Perkins in Rush county, and to locate a State road therein named;

Which was read the first time and passed to a second reading.

Mr. Hanna from the committee on canals and internal improvements to which were referred sundry documents relating to the Wa-

bash and Erie canal, reported a bill regulating the sales of canal lands and for other purposes;

Which was read the first time and passed to a second reading.

Mr. Wilson from the committee on canals and internal improvements to which was referred the petition of sundry citizens of Carroll county praying relief, reported a bill granting pre-emption rights to certain settlers on canal lands;

Which was read the first time and passed to a second reading.

Mr. Logan from the select committee to which was referred a resolution of the House directing an enquiry into the expediency of repealing so much of the twenty-second section of the act regulating the mode of doing county business as requires the boards of county commissioners to divide the several townships within their counties into as many highway districts as they may deem necessary, reported a bill to amend an act entitled "an act to regulate the mode of doing county business in the several counties of this State" approved January 19, 1831;

Which was read the first time and passed to a second reading.

Mr. Aker from the select committee to which was referred the petition of Christopher W. Emerick praying a divorce, reported a bill for the relief of the petitioner;

Which was read the first time and passed to a second reading.

Mr. Hoover from the select committee to which was referred the petition of citizens of Elkhart county, reported a bill changing the southern boundary of Elkhart county;

Which was read the first time and passed to a second reading.

Mr. Wilson from the select committee to which were referred the petition and remonstrance of citizens of Carroll county on that subject reported a bill for the relocation of the seat of justice of Carroll county;

Which was read the first time, when

Mr. Ferguson moved that the rules of the House be dispensed with and the bill be read a second time now;

Which motion did not prevail.

It was then

Ordered, That the said bill do pass to a second reading

Mr. Hoover from the select committee to which was referred the petition of Mary Scott, reported a bill to divorce Mary Scott of Indianapolis, from her husband Samuel Scott, to change her name and that of her children, and to provide for their guardianship;

Which was read the first time and passed to a second reading.

On motion of Mr. Morris,

Resolved, That the thanks of this House be given to the Honorable

managers for their services in prosecuting the article of impeachment preferred by this House against Young L. Hughes, a justice of the peace of Hendricks county, before the Senate sitting as a high court of impeachment.

Mr. Huntington moved the following resolution:

Resolved, That a select committee be appointed to enquire into the expediency of changing the times of holding circuit courts in the 7th judicial circuit of this State, with leave to report by bill or otherwise.

Mr. Noble moved to amend the same by inserting after the word 'state' the following; "and increasing the number of terms in each year to three, in each circuit in this State."

Which motion was decided in the negative.

The said resolution was then adopted by the House.

Ordered, That Messrs. Huntington, Bonner, Davis, Decker, Peyton, Baber, Wooden, Stevenson, Secrest, Wallace and Hite be a committee in pursuance thereof.

Mr. Crumpton moved the following resolution:

Resolved, That a select committee be appointed to enquire into the expediency of authorizing the Treasurer of State, or some other person to loan the Wabash fund under similar restrictions as the seminary fund, and that they report by bill otherwise;

Which was read—and

On motion of Mr. Bonner,

Ordered, That it lie on the table.

Mr. Angle after having obtained leave presented a bill to amend an act entitled "An act regulating grist mills and millers," approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Robinson after having obtained leave, presented a bill to amend an act entitled "An act to appropriate part of the three per cent. fund and for other purposes," approved February 10, 1831.

Which was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

Engrossed joint resolutions from the Senate, to wit:

A joint resolution of the General Assembly adopting the plan of a State House, and for other purposes,

A joint resolution relative to the officers and soldiers and the militia who bore arms in the war of the Revolution, and who are not entitled to pensions by any existing law;

Were severally read the second time and ordered to be read a third time on Monday next.

The bill to amend an act entitled "An act for opening and repairing public roads and highways," approved February 10, 1831.

The bill to relocate a part of the state road leading from Greencastle to Russellville,

The bill to legalize the election of trustees for the Presbyterian congregation, in the town of Evansville, and

The bill to incorporate the town of Washington, in Daviess county, Were severally read the second time and ordered to be engrossed and read a third time on Monday next.

The bill to incorporate the Ohio and Wabash rail-road company, was read the second time and committed to a committee of the whole House for Monday next.

The bill to locate a state road from Bloomington via Leesville and Sparks' ferry, to intersect the Mauk's ferry state road at or near William Logan's, in the county of Washington, was read the 2d time,

Was read the second time.

On motion of Mr. Durham,

The blank in the first section thereof was filled with the words "John Carr of Jackson county," (being the name of the commissioner.)

Ordered, That said bill be engrossed and read a third time on Monday next.

The bill authorizing a change of venue in a case therein named,

Mr. Ruddick moved to amend the bill by striking out the fourth section thereof; which section provides that the costs of said suit, to wit: the suit of the State vs. John Jones, shall be paid out of the Bartholomew county treasury, after being taxed by the Jennings circuit court;

Before the question was put thereon,

Mr. Proffit moved to amend said section, so as to provide that those costs shall be paid out of the State treasury, instead of the Bartholomew county treasury;

Which motion was decided in the negative.

The question being then put on the motion of Mr. Ruddick to strike out the section,

It was decided in the negative.

On motion of Mr. Noble,

The said bill was considered as engrossed, read the third time and passed.

On motion of Mr. Thornton,

The title thereof was amended so as to read, "an engrossed bill for the relief of John Jones."

Ordered, That said bill be entitled an 'act' and that the clerk carry it to the Senate and ask their concurrence.

A message was received from the Governor by Mr. Griffith his private Secretary, announcing that he did on the 13th instant, approve and sign the following bills, entitled 'acts,' to wit:

An act to provide for changing a part of the state road leading

from Indianapolis by way of Danville and Rockville to Montezuma;
and

An act to provide for changing a part of the state road leading
from New Albany to Salem, within Floyd county;

Which originated in the House of Representatives.

The bill to amend an act entitled "An act relative to crime and
punishment," approved February 10, 1831,

Was read the second time,

Mr. Davis moved to strike out the fourth section thereof, which
section authorizes the court in cases not punishable by death or im-
prisonment in the State Prison, on good cause shown to rule the pro-
secutor to security for costs, and in default of such security being
given, that the suit be dismissed with costs;

Before a decision was had thereon,

Mr. Noble moved to commit said bill to a committee of the whole
House for Monday next, and

Pending that question,

Mr. Willet moved that the further consideration of said bill be in-
definitely postponed;

And the ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Angle, Bonner, Brady, Bryant, Casey, Clawson, Cotton,
Crume, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake,
Hanna, Hargrove, Harrod, Heaton, Henderson, Hoover, Huntington,
Jones, Lane, Livingston, Logan, Maxwell, Morris, Moyer, Murray,
Nelson, Paddacks, Parks, Peyton, Polke, Reid, Robinson, Rose, Rud-
dick, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton,
Vawter, Wallace, Willet, Williams, Wilson, Wooden, and Moore,
Speaker—53.

And those who voted in the negative are,

Messrs. Aker, Alley, Baber, Bell, Clark, Cox, Cravens, Crump-
ton, Frame, Gardner, Griggs, Grover, Henley, Hite, Lynd, Mastin,
Noble, Proffit, Reynolds, and Slaughter—20.

And so the further consideration of said bill was indefinitely post-
poned.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Hoover,

Ordered, That Mr. Conner have leave of absence from the service
of this House until Monday next.

Mr. Hoover from the select committee on enrolled bills reported that they did on this day present to the Governor for his approval and signature; bills and joint resolutions of the following titles, to wit:

An act to provide for changing a part of the State road from Martinsville to Leavenworth,

An act to repeal an act entitled an act for the relief of certain purchasers in the reserved township in Monroe county approved February 1, 1831,

A memorial and joint resolution relative to a survey of the Maumee river, and asking of Congress in favor of Indiana, discretionary power as to the disposition of our canal lands lying in the State of Ohio, and

A joint resolution of the General Assembly soliciting of Congress a donation of lands to actual settlers in indigent circumstances,

The engrossed bill from the Senate for the location of the county seat of Boone county was read the second time and ordered to a third reading on Monday next.

The bill to amend an act entitled "an act to establish a college in the State of Indiana" approved January 24, 1828,

The bill to locate a State road from Parish's Grove to the State line on a direction to the rapids of the Illinois at the terminating point of the Illinois canal, and

The bill to amend the act entitled "an act to establish a State road from William Connelly's in Lawrence county to Greencastle in Putnam county," approved February 7, 1831,

Were severally read the second time and committed to a committee of the whole House for Monday next.

The bill to locate a State road from Merom in Sullivan county to Bloomfield in Greene county,

The bill to change a part of the Lafayette state road, and

The bill to amend the act entitled "an act defining the duties of recorders,"

Were severally read the second time and ordered to be engrossed and read a third time on Monday next.

The memorial of the General Assembly of the State of Indiana on the continuation of the construction of the Cumberland road,

Was read the second time,

Mr. Proffit moved that it be committed to a committee of the whole House for Monday next;

Which motion was decided in the negative,

The said memorial was then ordered to be engrossed and read a third time on Monday next.

The bill to change the name of Jamestown in Montgomery county to New Market, was read the second time;

On motion of Mr. Angle,

The same was amended by striking out the word "New market" wherever it occurs and inserting in its place the word "Carrollton."

Ordered, That said bill be engrossed and read a third time on Monday next.

The bill authorizing the erection of a mill-dam across White river,
Was read the second time,

Mr. Vawter moved that the further consideration thereof be indefinitely postponed; and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Baber, Bonner, Brady, Casey, Cotton, Crumpton, Decker, Durham, Flake, Hargrove, Harrod, Hite, Hoover, Jones, Lynd, Maxwell, Moyer, Parks, Reid, Smiley, Steele, Vawter, Wallace, Wilson and Wooden—26.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Bryant, Clawson, Cox, Crume, Culley, Davis, Ferguson, Finch, Frame, Gardner, Griggs, Grover, Hanna, Heaton, Henderson, Huntington, Lane, Livingston, Logan, Mastin, Murray, Nelson, Noble, Paddacks, Peyton, Polke, Proffit, Reynolds, Robinson, Rose, Ruddick, Slaughter, Stanford, Tebbs, Thornton, Willet, Williams and Moore, Speaker—41.

And so said motion was decided in the negative.

It was then

On motion of Mr. Brady,

Ordered, That said bill be committed to a committee of the whole House for Monday next.

The bill to establish a certain state road therein named and for other purposes, was read the second time.

On motion of Mr. Wallace,

The blank in the first section before the words 'of Daviess county,' was filled with the words 'William Dillare,' and the blank before the words 'of Martin county' with the words 'George Frame,' (being the commissioners on said road,

Ordered, That said bill be engrossed and read a third time on Monday next.

The bill to provide for obtaining an insurance on the real property of the State at Indianapolis, was read the second time;

On motion of Mr. Davis,

The said bill was amended by striking out the words 'real property,' and inserting in lieu thereof the words 'public buildings.'

The said bill was then ordered to be committed to the same committee of the whole House to which is committed the engrossed bill of the Senate on the subject of a fire engine for the town of Indianapolis.

The bill to amend an act entitled "An act for the prevention of frauds and perjuries," approved January 24, 1831;

Was read the second time and committed to the same committee of the whole House to which is committed the engrossed bill from the Senate of the same title.

The bill to amend an act entitled "An act respecting salines and saline reserves," approved Feb. 10, 1831;

Was read the second time;

On motion of Mr. Thornton,

The blank in the first section, referring to the superintendent of the reserves in Washington county, was filled with the name of 'Henry Young.'

The said bill was then ordered to be engrossed and read a third time on Monday next.

The engrossed bill from the Senate, to amend an act entitled "An act for assessing and collecting the revenue," approved February 10, 1831,

Was read the second time and committed to the committee of ways and means.

The bill of the House of the same title with the one last named, was read the second time, which said bill provides that the respective boards doing county business, may assess a tax on the venders of wooden clocks, not exceeding fifty dollars.

Mr. Alley moved that the further consideration of said bill be indefinitely postponed—and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Cotton, Cox, Crume, Hite, Polke, Reid, Rose, Vawter and Willet—10.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady Bryant, Clawson, Cravens, Crumpton, Culley, Decker, Durham, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Henderson, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Moyer, Murray, Noble, Paddacks, Parks, Peyton, Proffit, Reynolds, Robinson, Ruddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Wallace, Williams, Wilson and Moore, Speaker—53.

And so said motion was decided in the negative.

Ordered, That said bill be committed to the committee of ways and means.

The bill to establish a state road from Greensburgh, in Decatur county, to Brookville, in Franklin county;

Was read the second time—and

On motion of Mr. Reid,

Laid on the table.

And then the House adjourned until Monday morning at nine o'clock.

MONDAY MORNING, JANUARY 16, 1832.

The House met pursuant to adjournment.

Mr. Rose presented a petition of sundry citizens residing in the South part of Wayne county, praying to be attached to the county of Union;

Which was read, and

On motion of Mr. Rose,

Laid on the table.

Mr. Vawter from the committee of ways and means made the following report:

“The committee of ways and means to which was referred a resolution of this House, directing them “to enquire into the state of the three per cent. fund, and ascertain how soon all former appropriations of said fund can be liquidated, and whether it will not be expedient, to appropriate a further sum of said fund, and if so, in what manner appropriated,” have attended to the duties assigned them in said resolution, and now report in part, that they have made a thorough examination into all the affairs of said agency; have examined the books of the present and former agent, together with all the vouchers, receipts, documents and papers in possession of the agent, also all accounts of the late agent, from the time of his settlement with the Legislature in 1825, to the time of delivering over the books and papers to the present agent. In all of which we find perfect harmony, between the books and vouchers for money paid by the former and present agent, under laws appropriating money to roads, rivers and bridges, and with one single exception, all correct, and highly creditable to both the former and present agent. Your committee also counted and found in possession of the agent, as reported by him, \$8,007 53 cents; monies appropriated to roads, rivers, &c. prior to the appropriation of money, made by the Legislature, at the session of 1830 and 31, a considerable portion of which money has been on hand for several years. Your committee take a pleasure in stating, that every facility, and accommodation that could be asked for, was afforded by the agent, in the discharge of duties arduous to your committee and important to every section of the state.

Your committee recommend the adoption of the following resolution:

Resolved, That the report of Benjamin I. Blythe, agent of the three per cent. fund, made to this House and dated on the first of December, 1831, exhibiting the several appropriations and drafts paid, and balances due by said agent, (with the exception of \$10.00 found due to road No. 33) be entered of record as correct. And that said Agent be and is entitled to all the credits exhibited and set forth in his said report, the same having been fully paid by himself or predecessor, as does fully appear on comparing the vouchers for money paid with the agent's books; and that hereafter the reports of the agent be made with reference to roads, rivers and bridges, that monies are now due to."

The said resolution was read and agreed to by the House.

Mr. Vawter from the same committee made the following report:

"The committee of ways and means, to which was referred a resolution of this House, directing them "to enquire into the state of the three per cent. fund, and ascertain how soon all former appropriations of said fund can be liquidated, and whether it will not be expedient to appropriate a further sum of said fund, and if so, in what manner appropriated;" have attended to the further duties assigned them in said resolution, and now report, that from all the information received, through the agent and otherwise, they are authorized to say, it is probable the agent will receive of said funds, monies sufficient by the first of April next, to discharge all former appropriations made on roads, rivers and bridges. In the month of July last, the agent received \$2,957 57 cents, in virtue of appropriations made by the Legislature, at its session of 1830-31. Your committee are of opinion that it is inexpedient, at this time, to make any further appropriations of said fund, and ask to be discharged from the further consideration of said resolution.

Ordered, That the committee be discharged accordingly.

Mr. Thornton from the judiciary committee, to which was referred a resolution of this House instructing them to enquire into the expediency of "so amending the law, relative to crime and punishment, as to make it obligatory on all persons who may hereafter steal any horse, mule or other article of value, and shall be found guilty of the same, to pay in addition to the fine and imprisonment, all the expenses the owner may incur in getting back such stolen property," reported, that in the opinion of said committee it is unnecessary to make any enactment on that subject, as the existing laws make adequate provision therefor; and therefore ask to be discharged from the further consideration of that subject.

Ordered, That the committee be discharged accordingly.

Mr. Thornton from the same committee made the following report:

"The judiciary committee to which was referred the resolution of this House, instructing them to enquire into the expediency "of regulating by law, the amount of tax on ferries, so as to remove the collision (discrepancy) between the revenue and ferry law on that subject," have, according to order, had the same under consideration, and have directed me to report an amendment to the act "to establish and regulate ferries, approved February 10, 1831, providing for the repeal of so much of the 8th section of said act, as imposes a tax on ferries of not less than two dollars nor above ten dollars, to be incorporated in the bill at this time pending in this House on that subject;"

Which was read, and

On motion of Mr. Thornton,

Laid on the table.

Mr Thornton from the same committee to which was referred a resolution of the House, directing them to enquire whether any, and if any what amendment is necessary to be made to the law requiring resident plaintiffs to give security for costs, reported a bill to repeal part of the 13th section of the act entitled "an act regulating the practice in suits at law," approved January 29, 1831;

Which was read the first time and passed to a second reading.

Mr. Thornton from the same committee made the following report:

"The judiciary committee to which was referred the petition of Jonathan Clark of the county of Clark, praying for the passage of a law authorizing him to execute deeds of conveyance for sundry lots and lands within this state, sold by him to certain persons, the legal title to which, it appears, is vested in his two infant sons, William Fry and Abram Franklin, having descended to them through their mother Elizabeth Clark, (formerly Elizabeth Fry) who lately departed this life intestate, within twenty-one years of age, having those two infant children as her only heirs and legal representatives, have, according to order, had the same under consideration, and have come to the conclusion, that it would be improper and obviously inexpedient for this General Assembly to interfere in this matter, by granting the prayer of the petitioner. Your committee, although they entertain the highest confidence in the honesty and integrity of the very respectable individual who presents this application, cannot but believe that it is clearly one which would not justify the interposition of the Legislature. Independent of the inexpediency of the Legislature taking cognizance of such application, your committee have no hesitation in saying, that to do so is obviously interdicted by the plain provisions of our Constitution. The case, as presented by the petitioner, is one which seems peculiarly to address itself to the equitable interposition of a Court of Chancery, where, if redress can at all be afforded him, he can obtain it in the appropriate way, and where all the parties can be brought before the court and the whole case fully

developed. Your committee, however, cannot but doubt, from the petitioners own shewing, the power of any court or legislative body either, to divest the legal title to the real estate, named and described in the petition, out of those minor heirs. At the time of the inception of the alleged contract, it appears that the fee-simple thereto was in the mother of those minors, who was at that time herself a minor and incapable of making or ratifying any contract relative to such estate, and the petitioner having nothing more than a tenancy, by the courtesy therein, was clearly not authorized to dispose of the fee-simple; and the mother having died intestate, her children have become absolutely vested with the title thereto, and in such manner too, as by the provisions of our law of descents, to preclude even their father from inheriting the same if such minor children should die intestate, leaving any brother or sister of their deceased mother or any lineal descendant of either of them. The inference then is clear, that this contract being in contravention of the statute of frauds, could not be enforced even in a court of equity, much less by a legislative body, who, by so doing, would not only be violating the rights of private individuals, by passing a decree upon their case unheard and without legitimate evidence, but would also be evidently transcending the bounds of their legislative functions, by usurping that which clearly and properly belongs to a co-ordinate branch of the government. Your committee therefore pray to be discharged from the further consideration of the subject.

All of which is respectfully submitted."

Ordered, That said committee be discharged from the further consideration of the subject.

Mr. Finch from the committee on roads, to which was referred the petition of sundry citizens of Tippecanoe and Carroll counties, on that subject, reported a bill to locate a State road from Lagrange in the county of Tippecanoe to Logansport in the county of Cass;

Which was read the first time and passed to a second reading.

Mr. Hanna from the committee on canals and internal improvements, to which were referred sundry memorials on that subject, reported a bill to incorporate the New-Albany, Salem, Indianapolis and Wabash rail-road company;

Which was read the first time and passed to a second reading.

Mr. Grover from the select committee to which was referred a petition of sundry citizens of Elkhart county on that subject, reported a bill changing the boundary line between the counties of Elkhart and St. Joseph;

Which was read the first time and passed to a second reading.

Mr. Robinson made the following report:

"The select committee, to which was referred a resolution of the

House directing an examination of the tract books and maps of the Auditor's office, have discharged that duty and report:

That tract books and books of township maps have been procured from all the Land Offices, by the present Auditor and his predecessor, exhibiting the description of the land, the number of acres in each subdivision, the purchaser's name and the date of purchase, from the time the different offices were first opened, to the 1st of January 1830—exhibiting also, all the unsold lands, under their appropriate heads. Except the Vincennes Land district, the maps of that district have been furnished, correctly, to the late Auditor. He also procured from the Register of that office a tract book, but it is too informal and vague, to answer the purposes contemplated in its procurement. Several of the counties were furnished, in 1825, with extracts from this tract book, but they were unaccompanied with a map. The counties that were not furnished are not known to the present Auditor. In procuring the additional sales of the several Land Offices in this state from 1825, (the time to which all were first procured) to 1830, the Vincennes district was not procured, because the Auditor thought, and your committee have no doubt of its correctness, that to procure the additional sales of that district, when the first tract book was vague and informal, and that too only partially furnished the clerks, without a map would be an useless expenditure of money and labour. Your committee have therefore no hesitation in recommending that the Vincennes district should be procured anew, (without maps as they are already on file) and have accordingly embraced such a provision in a joint resolution herewith submitted.

As regards the Jeffersonville Land district, and that portion of the Cincinnati district within our state, your committee deem it essentially necessary to have procured from those offices the lists of relinquishments and forfeitures, from the date of the lists last procured up to the expiration of the last relief law passed by Congress. This will, in the opinion of your committee, afford to the county officers, and those intrusted with the assessing and collecting of the state and county revenue, sufficient data to insure a correct and full collection.

As to those districts where the credit system never obtained, your committee have nothing to remark, further than they have all been furnished according to law, and that the collection of State and county revenue in these districts is not subject to the same difficulties incident to the first named districts.

In conclusion your committee would further remark, that no doubt can be entertained, as to the utility of keeping up the present tract book system; without it little could be known of the surveys and entries of lands in the respective counties, unless procured from Land Offices by individuals; with it, not only the counties are furnished in a manner which enables their officers to discharge their duty in the important matter of revenue correctly and to the interest of the coun-

ty and state, but the State legislature has at all times the means of knowing the size and shape of the different counties, the number of square miles each contains, and the amount of taxable land in each; a reference, the importance of which all must be sensible. Your committee would therefore recommend the adoption of the joint resolution herewith submitted, entitled "a joint resolution of the General Assembly relative to procuring additional tract books and lists of relinquishment."

The said joint resolution was read the first time and passed to a second reading.

Mr. Cravens from the select committee to which was recommitted the engrossed bill for the benefit of William C. Bramwell, reported the same with one amendment;

Which was read and agreed to by the House.

Ordered, That said bill be engrossed, and read a third time to-morrow.

Mr. Thornton from the select committee to which was referred the engrossed bill to authorize John Lung and William Sill to apply for a writ of *ad quod damnum* to erect a mill dam on Tippecanoe river with instructions so to amend the same as to provide that the said Lung and Sill shall construct a suitable slope or lock in said dam, reported the same with one amendment in pursuance of said instructions;

Which amendment was read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Murray from the select committee to which were referred petitions of citizens of Allen and Delaware counties severally praying for a State road from Munceytown to Fort Wayne reported a bill to locate a State road therein named;

Which was read the first time and passed to a second reading.

Mr. Murray from the select committee to which were referred a petition and remonstrance of citizens of Grant county on that subject reported a bill to authorize a review of the county seat of Grant under certain conditions therein named;

Which was read the first time and passed to a second reading.

Mr. Murray from the select committee to which was referred the bill authorizing David Conner to build a mill dam across the Mississinewa river, reported the same with one amendment;

Which was read and concurred in by the House, and

On motion of Mr. Crume,

Ordered, That said bill be committed to a committee of the whole House for to-morrow.

Mr. Ferguson moved the following resolution:

Resolved, That the House of Representatives will not during the remainder of the present session take under consideration any new matter for legislation, without the concurrence of two thirds of the members present, and that the senate be informed thereof;

Which was read, and

On motion of Mr. Hoover,
Laid on the table.

On motion of Mr. Proffit,

The vote taken on the 11th instant on the indefinite postponement of the resolution moved by Mr. Morris relative to adjourning *sine die* on the 28th instant was reconsidered;

Whereupon

On motion of Mr. Bell,
It was ordered that said resolution do lie on the table.

Mr. Hoover moved the following resolution:

Resolved, That the committee on the judiciary be instructed to report to this House whether in their opinion this General Assembly has a constitutional right to obstruct the free and uninterrupted navigation of such rivers and streams, the beds of which have been declared public highways and reserved from sale by the United States;

Which was read, and

On motion of Mr. Bryant,
Laid on the table.

On motion of Mr. Reid,

The bill to establish a State road from Greensburgh in Decatur county to Brookville in Franklin county, heretofore laid on the table, was taken up;

On motion of Mr. Noble,

The same was amended by adding the following as additional sections to be denominated the fifth and sixth sections, viz:

SEC. 5. It shall be the duty of the county commissioners of the respective counties to cause the said road to be opened in the same manner that other roads are as soon after the location as practicable.

SEC. 6. The surveyor who may have been appointed to survey said road shall file in the clerk's office of the proper county the survey of the road as far as it lies in the said county;"

The said bill was then ordered to be engrossed and read a third time to-morrow.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Bell,

The engrossed bill authorizing Hiram Todd of Logansport to expend certain monies heretofore appropriated on the State road leading from Lafayette via Delphia and Logansport to Fort Wayne, heretofore laid on the table, was taken up;

On motion of Mr. Murray,

Ordered, That said bill be recommitted to a select committee;

Whereupon

Messrs. Murray, Wilson and Bell were appointed that committee.

Mr. Griggs after having obtained leave presented a bill to incorporate the Fredonia school society in Crawford county;

Which was read the first time and passed to a second reading.

Mr. Livingston after having obtained leave presented a bill to incorporate the New-Albany and Terre-Haute turnpike company:

Which was read the first time and passed to a second reading.

Mr. Henderson after having obtained leave presented a bill to divorce Archibald Parker from Anna Parker;

Which was read the first time and passed to a second reading.

Mr. Dayis after having obtained leave presented a joint resolution on the subject of the printing of the laws of the present session of the General Assembly;

Which was twice read (the rules of the House having first been dispensed with) and ordered to be engrossed and read a third time to-morrow.

The House then proceeded to consider the orders of the day.

The joint resolution relative to the Governor's house, and

The bill to attach a part of the county of Harrison to the county of Floyd;

Were severally read the second time and committed to a committee, the whole House for to-morrow.

The bill to establish a state road from Madison, in Jefferson county, via Lexington to Salem, in Washington county, was read the second time;

Mr. Cravens moved to commit it to a committee of the whole House for to-morrow.

Mr. Thornton proposed a select committee, and called for a division of the question.

The first branch of said question was then put, viz:

'Shall the bill be committed?'

And decided in the negative.

Mr. Cravens then moved that the further consideration of said bill be postponed until the first Monday in December next—and Pending the question thereon—it was

On motion of Mr. Logan,

Ordered, That the said bill be laid on the table.

The bill to amend an act entitled "An act to continue in force an act for the benefit of persons who have, or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the court house at Lawrenceburgh, on the morning of the 6th of March, 1826," approved January 29, 1831,

The bill to relocate part of the Lawrenceburgh and Rushville state road in Rush county,

The bill legalizing the proceedings of the board of commissioners of St. Joseph county,

The bill to extend a state road therein named,

The bill for the relief of Curtis Smith,

The bill to amend an act entitled "An act to locate a state road from Newcastle, in Henry county, to Milton in Wayne county,

The bill to amend an act entitled, "An act to incorporate the Franklin county Seminary," approved January 22, 1830,

The bill to legalize the proceedings of David Miller, and

The bill authorizing a change in a part of the Madison and Brownstown state road,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The engrossed bill from the Senate to locate a state road from Clinton, in Vermillion county, by way of Patton's mills, to the National road, in Vigo county, and

The engrossed joint resolution of the General Assembly from the Senate, authorizing the Secretary of State to purchase certain books for the use of the State library,

Were severally read the second time and ordered to be read a third time to-morrow.

The bill to amend an act entitled "An act for opening and repairing public roads and highways;"

Was read the second time;

Mr. Brady moved to commit it to a committee of the whole House for to-morrow.

Before the question was put thereon,

Mr. Logan moved that the further consideration of said bill be indefinitely postponed—and

Pending that question—it was

On motion of Mr. Stanford,

Ordered, that said bill be laid on the table.

The bill providing for the relocation of a part of the state road leading from Terre-Haute, via Carlisle, to Mount Pleasant;

Was read the second time—and

On motion of Mr. Huntington,
Laid on the table.

The bill to legalize the sale of school lands in Montgomery county, was read the second time;

On motion of Mr. Finch,

The same was so amended as to extend its provisions to the school lands sold in Tippecanoe county.

The said bill was then ordered to be engrossed and read a third time to-morrow.

The bill to divorce Joseph Nichols from his wife Mimy Nichols; Was read the second time;

Mr. Crumpton moved that the further consideration thereof be indefinitely postponed—and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Angle, Bonner, Bryant, Casey, Clawson, Cotton, Cravens, Crumpton, Culley, Decker, Ferguson, Griggs, Hargrove, Harrod, Jones, Logan, Lynd, Maxwell, Moyer, Murray, Nelson, Noble, Parks, Peyton, Polke, Proffit, Reid, Rose, Stanford, Steele, Tebbs, Thornton, Wallace and Williams—34.

And those who voted in the negative are,

Messrs. Aker, Alley, Baber, Bell, Brady, Clark, Cox, Crume, Davis, Durham, Finch, Flake, Frame, Gardner, Grover, Hanna, Heaton, Henderson, Hite, Hoover, Huntington, Lane, Livingston, Mastin, Paddacks, Reynolds, Robinson, Ruddick, Secrest, Slaughter, Smiley, Stevenson, Vawter, Willet, Wilson, Wooden and Moore, Speaker—37.

And so said motion was decided in the negative.

The said bill was then ordered to be engrossed and read a third time to-morrow.

The engrossed bill from the Senate to amend an act entitled "An act relative to crime and punishment," approved February 10, 1831; was read the second time;

Mr. Thornton moved to commit it to a committee of the whole House for to-morrow.

Before the question was put thereon—it was

On motion of Mr. Noble,

Ordered, That the further consideration of said bill be indefinitely postponed.

The engrossed joint resolution from the Senate relative to a more perfect organization of the militia of the several States, was read the second time;

Mr. Lynd moved that the further consideration of said joint resolution be indefinitely postponed—and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Baber, Bryant, Cotton, Grover, Henderson, Hoover, Jones, Lynd, Moyer, Rose, Smiley, and Willet—13.

And those who voted in the negative are,

Messrs. Alley, Angle Bell, Bonner, Brady, Casey, Clark, Clawson, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Hargrove, Harrod, Henley, Hite, Huntington, Livingston, Logan, Mastin, Maxwell, Murray, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Profit, Reid, Reynolds, Robinson, Ruddick, Secrest, Slaughter, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Williams, Wilson, Wooden and Moore, Speaker—56.

And so said motion was decided in the negative.

Mr. Vawter moved to commit said joint resolution to a committee of the whole House for to-morrow.

Which motion was decided in the negative.

The said joint resolution was then ordered to be read a third time on to-morrow.

The bill to establish a state road from Napoleon, in Ripley county to Jehu Perkins', in Rush county, and to locate a state road therein named, was read the second time;

On motion of Mr. Robinson,

The last section thereof was amended by inserting the words "of Rush and Henry" after the word "counties," being the counties made chargeable for the expenses of continuing said road.

Ordered, That said bill be engrossed and read a third time to-morrow.

The bill regulating the sale of canal lands, and for other purposes, was read the second time;

Mr. Lane moved to commit it to a committee of the whole House for to-morrow;

Which motion was decided in the negative.

Mr. Profit then moved to lay said bill on the table—and

Before a decision was had thereon,

The House adjourned until to-morrow morning nine o'clock.

TUESDAY MORNING, JANUARY 17, 1832.

The House met pursuant to adjournment.

Mr. Parks presented a memorial of William Newland and others, citizens of Lawrence county, praying a legislative recognition of the competency of any witness who acknowledges the moral obligation of an oath without regard to his religious sentiments;

Which was read and referred to the same committee of the whole House to which a bill on that subject is committed.

Mr. Aker presented a petition of John L. Addington and others, praying for the location of a state road beginning at the Ohio State line, on the route of a road in that State, running thence down the Mississinewa, via Parson's and Lewellen's mills, to intersect the Miamisport state road at or near Sanders', thence to Logansport;

Which was read and referred to a select committee of Messrs. Aker, Grover and Harrod.

Mr. Stevenson presented a petition of A. Goodwin and others, praying a change in part of the state road from Greencastle to Russellville;

Which was read, and

On motion of Mr. Stevenson—laid on the table.

Mr. Angle presented a petition of Polly Bell, praying a divorce from her husband Henry Bell, and accompanying certificates;

Which were read and referred to a select committee of Messrs. Angle, Baber and Peyton.

Mr. Cotton from the committee of ways and means, reported a bill making a general appropriations for the year 1832;

Which was read the first time and passed to a second reading.

Mr. Thornton from the judiciary committee to which was referred a resolution of this House, instructing them to enquire into the expediency of providing by law for the extension of jurisdiction to the circuit courts and justices of the peace in crimes and misdemeanors, so as to enable them to take cognizance of offenses committed on navigable rivers, where the same may form the boundary line of this State; reported a bill amendatory of the act entitled "An act organizing circuit courts and defining their powers and duties," approved January 24, 1831;

Which was read the first time and passed to a second reading.

Mr. Aker from the select committee to which was referred a petition of citizens of Randolph county, reported a bill to locate a State road from Winchester in Randolph county, to Newcastle in Henry county;

Which was read the first time and passed to a second reading.

Mr. Murray from the select committee to which was recommitted the engrossed bill authorizing Hiram Todd of Logansport to expend certain monies heretofore appropriated on the State road leading from Lafayette, via Delphi, and Logansport, to Fort Wayne, reported the same with one amendment;

Which was read and concurred in by the House.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Huntington from the select committee to which was referred a resolution of the House on the subject of changing the times of holding courts in the seventh judicial circuit, reported a bill to amend an "act dividing the State into judicial circuits and fixing the the times of holding courts therein," approved February 10, 1831;

Which was twice read, (the rules of the House having first been dispensed with,) and committed to the same committee of the whole House to which a bill of the same title is committed.

Mr. Slaughter gave notice that he would on to-morrow move to amend the rules of the House so that for the remainder of the present session the House shall proceed to consider the orders of the day precisely at 10 o'clock, A. M. each day.

Mr. Davis moved the following resolution,

Resolved, That the committee on elections be instructed to enquire into the expediency of so amending the 11th section of the law regulating the mode of doing county business, approved January 19, 1831, that the election of commissioners shall be confined respectively to the district in which such commissioner shall reside, and also into the expediency of repealing said section.

Mr. Hoover moved to lay said resolution on the table.

Which motion was decided in the negative.

Mr. Proffit moved to amend said resolution by inserting therein after the words, "election of commissioners," in the latter clause thereof the following:—"in all those counties that wish the change, as at this session may be declared by their representatives, and not the State generally."

Before the question was put thereon,

Mr. Tebbs moved that the further consideration of said resolution and proposed amendment be indefinitely postponed:—

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Bell, Bonner, Bryant, Cotton, Cox, Cravens, Decker, Durham, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray,

Nelson, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Slaughter, Smiley, Stanford, Tebbs, Thornton, Vawter, Wallace, Williams, Wilson, Wooden and Moore Speaker—53.

And those who voted in the negative are,

Messrs. Alley, Baber, Brady, Casey, Clark, Clawson, Crume, Culley, Davis, Ferguson, Harrod, Huntington, Jones, Ruddick, Steele, and Stevenson—16.

And so the further consideration of said resolution and proposed amendment was indefinitely postponed.

Mr. Maxwell moved the following preamble and resolution,

Whereas it is the wish of this General Assembly to adjourn as soon as possible,—and whereas there is a great mass of unfinished business before the House of Representatives which in its nature is vastly important to almost every section of the State; and in order that this House may have it in its power to bestow that attention to those various subjects which they require—therefore

Resolved, That this House will meet for the purpose of legislative business, during the balance of the present session at half after eight o'clock A. M. and at one o'clock, P. M.

Mr. Henley moved to amend the same by striking out the concluding words “and at one o'clock, P. M.”

Mr. Morris moved to amend said amendment by inserting in lieu of the words so to be stricken out, the following:—“and at half after 1 o'clock, P. M.”

Pending the question thereon,

A motion was made by Mr. Hoover to lay said resolution and proposed amendment on the table;

Which was decided in the negative.

The question recurred on the amendment proposed by Mr. Morris to the amendment moved by Mr. Henley;

And being put,

It passed in the affirmative.

The said amendment as amended was then agreed to.

On motion of Mr. Cotton,

The said resolution was further amended by striking out the preamble;

Mr. Wooden moved to postpone the further consideration of said resolution indefinitely;

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bonner, Bryant, Casey, Clark, Clawson, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Ferguson, Flake,

Frame, Gardner, Griggs, Grover, Hanna, Harrod, Hoover, Huntington, Jones, Lynd, Mastin, Moyer, Murray, Noble, Peyton, Polke, Reynolds, Slaughter, Smiley, Tebbs, Thornton, Vawter, Williams, Wooden and Moore, Speaker—40.

And those who voted in the negative are,

Messrs. Aker, Baber, Bell, Brady, Crume, Decker, Durham, Finch, Hargrove, Heaton, Henderson, Henley, Hite, Lane, Livingston, Logan, Maxwell, Morris, Nelson, Paddacks, Parks, Proffit, Reid, Robinson, Rose, Ruddick, Secrest, Stanford, Steele, Stevenson, Wallace and Wilson—32.

And so the further consideration of said resolution was indefinitely postponed.

On motion of Mr. Casey,

Resolved, That the Quarter-Master-General be instructed to report to this House, the number and descriptions of arms accruing to this State, from the United States, under the act of Congress, of the year 1808, in a given year, and any defects in the existing laws on the subject of delivery, the due proportion of such arms to this State, and in the mode of distributing the same.

Mr. Brady moved the following resolution,

Resolved, That the committee on education, be instructed to inquire into the expediency of setting apart and appropriating one half or one third of the tax collected on polls to the support of common schools throughout the State, with leave to report by bill or otherwise.

Mr. Logan moved to postpone the further consideration thereof indefinitely;

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Bryant, Casey, Clark, Clawson, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Noble, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Williams, Wooden and Moore Speaker, 63.

And those who voted in the negative are,

Messrs. Alley, Brady, Finch, Harrod, Heaton, Huntington, Mastin, Peyton and Wilson, 9.

And so the further consideration of said resolution was indefinitely postponed.

The Speaker laid before the House the following communication from William Polke, commissioner of the Michigan road lands.

INDIANAPOLIS, Jan. 17, 1832.

List of expenses, of William Polke, commissioner of Michigan road lands, in the performance of the various duties imposed on him by the act appointing him sole commissioner; approved, Feb. 4th, 1831.

Expenses including daily pay from March 21st, to July 15th, 1831, as per vouchers, from one to fifteen inclusive, (in survey and connecting road with public surveys,)	\$582,32½
Expenses of selecting surveying and selling lands, as per vouchers, from 16 to 95 inclusive,	1928,23½
Total amount paid,	<hr/> 2510,61

There are two printer's bills that have not been presented, estimated at \$28, each,	56,00
By reference to the Register of sales, it will be seen that the amount received for lands sold is	49371,91
For which there was received in Michigan road scrip,	48563,33
Forfeited certificates,	100,19
Cash,	708,39
Which deducted from expenses, leaves a balance of	1858,22

Which amount, the undersigned respectfully requests, may by your Honorable body, be directed to be paid him out of such funds as may be unemployed in the Treasury, to be refunded to the State Treasury out of the first monies received in payment for the sale of Michigan road lands.

Although not strictly his duty, the undersigned would respectfully state to the General Assembly, the following claims against the M. R. fund.

Noah Noble contract commissioner, daily pay, 77 days, as per report,	\$154,00
Surveying and incidental expenses,	161,00
A. F. Morrison, printing road scrip as per his bill,	20 00
Secretary of State, Auditors and Treasurers allowance by law, for 1830, \$50 each,	\$150,00
	<hr/> 485,00

It is further submitted to the General Assembly, the propriety and justice of allowing the late contract commissioner, such allowance to cover incidental and travelling expenses, as would reimburse him the

money, by him necessarily expended while performing the laborious and responsible duties of his office.

The undersigned requests of your Hon. body, to appoint a committee to examine the books and papers in his office, and report such relief to him as they may deem just and proper.

WILLIAM POLKE, C. M. R. L.

Which was read, and

On motion of Mr. Hoover,

It was referred to the committee on Ways and Means.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the bill, regulating the sale of canal lands and for other purposes, depending at the last adjournment; when

Mr. Proffit withdrew his motion to lay said bill on the table.

Mr. Crume moved to amend the second section of said bill, by striking out the words "May next" and inserting in lieu thereof, the words "October 1833;" it being the time of the first sale of the canal lands.

Mr. Stevenson proposed "October 1832."

Mr. Angle proposed "July 1832."

Mr. Thornton called for a division of the question, and

Before a decision was had thereon,

The House adjourned until half past one o'clock P. M.

Half past one o'clock, P. M.

The House met pursuant to adjournment and

Resumed the consideration of the bill, depending at the last adjournment.

The question being put on the first branch of the motion of Mr. Crume, to wit, on striking out the words "May next,"

It passed in the affirmative,

And being put on the other branch thereof, to wit:

On filling the blank with the words "October, 1833,"

It was decided in the negative.

The question recurring on the proposition of Mr. Stevenson, to fill the blank with the words "October 1832," and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bell, Bonner, Brady, Bryant, Casey, Clawson, Cravens, Crume, Crumpton, Culley, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Huntington, Jones, Livingston, Logan, Lynd, Mastin, Maxwell, Moyer, Nelson, Paddacks, Parks, Polke, Reid, Robinson,

Rose, Ruddick, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Williams, and Moore, Speaker, 52.

And those who voted in the negative are,

Messrs. Aker, Angle, Clark, Cotton, Cox, Davis, Grover, Hanna, Heaton, Lane, Morris, Murray, Peyton, Proffit, Reynolds, Slaughter, Willett, and Wilson, 18.

And, so said blank was filled with the words "October 1832."

Mr. Wilson moved, further to amend said section so as to provide for another, and previous sale of said lands on the first Monday in June next,

Which motion did not prevail.

On motion of Mr. Hanna,

The last section of said bill was amended, by inserting the word "force" before the words "from and after their publication."

On motion of Mr. Grover,

The 4th section of the bill was amended, by striking out "May" and inserting "October," so as to conform to the second section as amended.

Mr. Wilson moved to strike out the word "May" in the first section of the bill and insert the word "October," being the time when the classification of the lands is to be completed.

Mr. Hanna proposed "June."

Mr. Stevenson proposed "August."

A division of the question being called for by Mr. Grover, it was put, on striking out the word "May,"

And passed in the affirmative.

The other branch of said question was then put, to wit:

Shall the blank be filled with the word "October?"

And decided in the negative,

And on the question to fill the blank with the word "August,"

It passed in the affirmative.

Mr. Wilson moved to amend the 4th section, by adding the following:

"Provided that nothing herein shall be so construed as to authorize the commissioners to remove the office from Logansport, until suitable accommodations can be had, at or near the centre of the canal lands,"

Which motion was decided in the negative.

Mr. Crume moved, further to amend the bill, by striking out the 3d and 4th sections thereof, which sections provide, that immediately after the public sales of the land, the residue shall be subject to entry agreeably to their classification at the minimum valuation for each class respectively, and in other respects, upon the same terms on which the public sales are conducted;

Which motion was decided in the negative;

It was then ordered that said bill be engrossed and read a third time to-morrow.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker:

The Senate have passed an engrossed bill, entitled an act, to ratify and confirm an act of the Legislature of Kentucky, incorporating a company to build a bridge across the Ohio river at the Falls, in which the concurrence of the House of Representatives is requested.

The engrossed bill mentioned in said message, was read the first time and passed to a second reading.

The bill granting pre-emption rights to certain settlers on canal lands, was read the second time.

On motion of Mr. Wilson,

The blank in the first section thereof, referring to the date of the act of Congress therein recited, was filled with the words "May 29th, 1830," and the blank in the second section, relating to the time when the application for the benefit of the act must be filed, was filled with the words "first day of April next."

On motion of Mr. Wilson,

The bill was further amended, by adding the following at the end thereof, to wit:

This act to take effect and be in force from and after its publication, in the Indiana Journal."

It was then,

On motion of Mr. Maxwell,

Ordered, That said bill be committed to a committee of the whole House for to-morrow.

The bill to amend an act, entitled "an act, to regulate the mode of doing county business, in the several counties in this State;" approved, Jan. 19, 1831;

Was read a second time,

Mr. Slaughter moved that it be laid on the table,

Which motion did not prevail.

A motion was then made by Mr. Stanford, to amend the bill, by confining its provisions to Washington county, and pending the question therein, it was,

On motion of Mr. Lane,

Ordered, That the further consideration of said bill be indefinitely postponed.

The bill for the relief of Christopher W. Emerick, was read the second time.

Mr. Stanford moved, that the further consideration be indefinitely postponed and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Bonner, Brady, Bryant, Casey, Clawson, Cotton, Cravens, Crumpton, Culley, Decker, Durham, Frame, Griggs, Hargrove, Harrod, Heaton, Hite, Huntington, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Reid, Reynolds, Robinson, Rose, Smiley, Stanford, Steele, Tebbs, Thornton, Vawter, Wallace, Williams, and Wilson, 45.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Clark, Cox, Crume, Davis, Ferguson, Flake, Gardner, Grover, Hanna, Henderson, Henley, Hoover, Mastin, Proffit, Ruddick, Secrest, Slaughter, Stevenson, Willett, Wooden and Moore. Speaker—26.

And so the further consideration of said bill was indefinitely postponed.

The bill changing the southern boundary of Elkhart county, and

The bill to provide for the re-location of the seat of Justice of Carroll county;

Were severally read the second time, and ordered to be engrossed and read a third time to-morrow.

The bill to divorce Mary Scott of Indianapolis, from her husband, Samuel Scott, to change her name, and that of her children, and to provide for their guardianship; was read the second time.

Mr. Thornton moved to commit it to a select committee.

Before the question was put thereon,

Mr. Cravens moved, that the further consideration of the bill be indefinitely postponed;

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Bonner, Bryant, Casey, Clawson, Cotton, Cravens, Crumpton, Culley, Decker, Durham, Flake, Frame, Griggs, Hargrove, Harrod, Heaton, Henley, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Noble, Parks, Peyton, Polke, Proffit, Reid, Robinson, Rose, Smiley, Stanford, Steele, Tebbs, Thornton, Vawter, Wallace, Williams, Wilson and Wooden—46.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Clark, Cox, Crume, Davis, Grover, Hanna, Henderson, Hite, Hoover, Huntington, Mas-

tin, Paddacks, Ruddick, Secrest, Slaughter, Stevenson, Willet and Moore, Speaker—23.

And so the further consideration of said bill was indefinitely postponed.

The Speaker laid before the House the following communication from the the Quarter Master General;

Which was read and referred to the commtttee on military affairs.

QUARTER MASTER GENERAL'S OFFICE,}

INDIANAPOLIS, 17th January 1832. }

The Quarter Master General in obedience to the requisitions of a resolution of the House of Representatives, adopted on this day, respectfully reports:

That the quota of public arms to each State and territory are, under the regulations of the Ordinance department, assigned in muskets, and if received in other arms must be received at their relative value.

For instance—One 6 pounder field piece with carriage and equipments, exclusive of harness, deducts from the quota of a State receiving it, the value of about 80 muskets, if accompanied by the necessary arms, &c. to complete the equipment of a common artillery company.

Muskets are charged to us at each	-	-	-	-	\$13
Rifles	"	"	"	"	16
Pistols	"	"	"	"	8
Cavalry sabres	"	"	"	"	6
Artillery swords	"	"	"	"	4
Non-commissioned officers' swords at each	-	-	-	-	4
Six pair, cannon, with carriage and equipments complete, exclusive of harness at	-	-	-	-	4

Muskets were assigned to this State as her quota as follows:

In the year 1827	-	-	-	-	-	482
" " 1828	-	-	-	-	-	530
" " 1829	-	-	-	-	-	488
" " 1830	-	-	-	-	-	475

For 1831 the assignment has not been notified to this office.

From the above abstract the Quarter Master General thinks himself authorised to state as the prominent defects in existing laws on the subject contemplated by the resolution,

1. The great failure in a proper return of the strength of our militia, though this evil may rather be attributed to the defective mode of executing existing laws, than to any defects in the laws themselves.

This defect grows probably out of the want of some efficient officer to whom the duty of ascertaining the strength of the militia should

be assigned, with a salary competent to secure not only *legal responsibility*, which is *not enforced in practice*, but the responsibility which, *in a moral view*, rests upon an officer whose duties are not *merely gratuitous*. The gain to the State in public arms, which would accrue by a full annual return of our numerical force would pay the salaries of many such officers.

Thus, from the year 1827 to 1830, as will appear by the above abstract, our *returned* numerical force must have decreased, whereas the fact of a very rapid increase must be notorious.

It is believed that for 1831 no return has been made. Thus a loss of arms to the value of at least ten thousand dollars must accrue.

The annual loss accruing to the State on account of failures in returning our strength, may safely be estimated at more than \$5000.

2. As a very important defect in the existing laws on the subject of the distribution of public arms, the regulation by which one 6 pound field piece, mounted and equipt, is to be furnished to each brigade, and cavalry arms for a company to each regiment, ought to be noted. These descriptions of arms consume our quota rapidly, and are decidedly the least useful. Twelve hundred discharges disable a field piece, so that about every five years the several companies organized and equipt in each brigade, must be re-furnished with arms.

The idea of any thing like *uniformity* and *training* of horses among militia cavalry is strikingly absurd.

Should these suggestions not appear sufficiently reasonable to be acted upon, the Quarter Master General begs leave to state, that owing probably to the militia law of the last session of the General Assembly not having been distributed in time, the provisions of the 90th section of that law have been complied with in no one instance. Hence there will a necessity arise for the Commander in Chief to be authorized to call upon commandants of brigades, throughout the State, during the present or following years, for the reports contemplated by the said section.

Respectfully submitted,

D. M'FARLAND, Q. M. G.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills and joint resolutions, from the House of Representatives, entitled as follows, to wit:

"An act to legalize the proceedings of School trustees of Congressional township No. 5, North of Range 4 East, in Jackson county.

A joint resolution providing for the erection of a tombstone over the grave of the late Theodore C. Cone, Esq., deceased.

A memorial of the General Assembly of the State of Indiana, relative to the Louisville and St. Louis mail route.

An act to authorize the Vermillion Circuit court, to change the venue in a certain case therein named.

The latter named bill with an amendment.

The Senate has also passed an engrossed bill of the Senate, entitled "an act, to incorporate the town of Terre-Haute."

In which bill of the Senate, and the amendment proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The amendment proposed by the Senate, to the bill of the House last named in said Message; was read and agreed too.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill of the Senate, named therein, was read the first time and passed to a second reading.

And then the House adjourned until to-morrow morning nine o'clock.

WEDNESDAY MORNING, JANUARY 18, 1832.

The House met pursuant to adjournment.

Mr. Conner, to whom leave of absence was given on Saturday last, appeared and resumed his seat.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker:

The Senate has passed an engrossed bill from the House of Representatives entitled "an act to provide for relocating a part of the Mauks' ferry state road," with amendments, in which the concurrence of the House of Representatives is requested.

The amendments proposed by the Senate to the above named bill of the House, were severally read and agreed to.

Mr. Logan made the following report:—

The committee on claims to whom was referred the petition of James Blake and Samuel Merrill, respectfully submitting to the legislature the propriety of taking upon themselves the liability assumed by said petitioners, in contracting for grading Washington street, in the town of Indianapolis, to 60 feet in width, have had that subject under their consideration, and directed me to report that it was inexpedient to legislate on that subject, and ask to be discharged from the further consideration of said petition.

Mr. Morris moved to lay said report on the table —

Which motion was decided in the negative.

Mr. Brady moved to recommit the same, together with the petition to the same committee, with instructions to report a bill in pursuance of the prayer of the petitioners.

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Baber, Bell, Bonner, Brady, Casey, Clark; Conner, Cotton, Crume, Crumpton, Culley, Griggs, Grover, Hanna, Harrod, Heaton, Henley, Huntington, Lane, Lynd, Morris, Slaughter, Steele, Stevenson, Tebbs and Wilson—28.

And those who voted in the negative are,

Messrs. Angle, Bryant, Clawson, Cravens, Davis, Decker, Durham; Ferguson, Flake, Frame, Gardner, Hargrove, Henderson, Hite, Hoover, Jones, Livingston, Logan, Mastin, Maxwell, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Robinson, Rose, Ruddick, Secrest, Smiley, Stanford, Vawter, Wallace, Willet, Williams, Wooden and Moore, Speaker—41.

And so said motion was decided in the negative.

A motion was then made by Mr. Brady to reconsider the vote on laying said report on the table;

Which was decided in the negative.

Mr. Wilson moved to refer the same to a select committee with instructions to report a bill for the relief of the petitioners out of the Indianapolis fund;—

Which motion was decided in the negative—and

On the question to concur in the report;

It passed in the affirmative.

Mr. Logan from the same committee to which was referred the petition of George Henarix, praying that a sum of money might be refunded to him which he had paid in part of the purchase money of a certain lot in the town of Indianapolis, reported that it was inexpedient to grant the prayer of the petitioner.

Which was read—and

On motion of Mr. Steele,

Laid on the table.

Mr. Logan from the same committee to which was referred the petition of J. Lynch and George Secrest, praying compensation for pursuing from Putnam county into Kentucky, Andrew and Robert Hodges, charged with horse stealing, reported that it was inexpedient to grant the prayer of the petitioners.

Which report was read and concurred in.

The Speaker laid before the House a memorial of Alfred J. Athon

a justice of the peace of Lawrence county, accused of malfeasance in office, by the memorial of Matthew Borland, praying that witnesses may be heard by the House before articles of impeachment are preferred against him; and if preferred, that the House will request of the Senate a speedy trial of his case.

Which was read and laid on the table.

Mr. Thornton made the following report:—

The judiciary committee to which was referred the memorial of Matthew Borland of the county of Laurence, charging Alfred J. Athon, a justice of the peace of said county, with mal-administration in his said office, and praying that an inquiry might be instituted into the official conduct of said justice, which committee were directed and authorized by a resolution of this House to proceed to make such inquiry accordingly, and in consideration of such object were authorized to use the process of this House to compel the attendance of the necessary witnesses and other evidence before them, and then to examine under oath touching that matter, have accordingly attended to the performance of the duty so assigned them, by calling before them sundry witnesses from the said county of Lawrence, as directed in the said memorial, together with the said memorialist himself, all of whom were severally sworn and examined before them, touching the subject matter complained of in the said memorial, upon which they find the following to be the facts of the case as substantially made out in evidence adduced before the committee, viz:

That on or about the 20th of June last past, a certain prosecution in the name and on behalf of the State of Indiana had been instituted and was pending against one Calvin M. Evans, (or Calvin Evans) for an assault and battery before the said Alfred J. Athon as such justice of the peace for the county of Lawrence as aforesaid, and the same coming on before the said justice for trial, and a jury having been summoned to try the same, among whom was the said memorialist, who having duly attended, in obedience to said summons, was, along with the other jurors, called up for the purpose of being sworn, whereupon the said justice proceeded to swear said jury, by administering the oath to four of them at a time, directing them to raise their hands whilst making such oath—the said memorialist being one of the last four, and not having been accustomed to swear in that form, derived from impressions received in early life, declined raising his hand along with the other three jurors—after which it being demanded by the said justice of said jurors if they were all sworn, he was answered by Joseph Rawlings, one of the three last called jurors, and who was sitting next to the said memorialist, that the latter was not sworn. Upon this the justice inquired of the said memorialist if he affirmed, to which he answered, No—and added that he would have to bring the sheepskin for him. Some conversation then took place

between the constable who was attending the trial and the memorialist as to what was meant by the word *sheepskin*, upon which the memorialist explained by remarking, that he swore on the book. The justice then asked him if he would take the oath laid down in the statute? to which the said memorialist replied he did not know what that oath was. The justice then asked if he had not heard it read, to which the said memorialist replied that he had not. The justice then read from the statute what he deemed to be the form of the oath in such case, and then demanded of said memorialist if he had any objections to take such oath, to which said memorialist responded that he did not object to *taking* such oath, but to the manner of administering it. Immediately after this, and without any further remark, conversation or explanation, the said justice in a positive and peremptory tone, proceeded to remark to said memorialist, *Mr. Borland I fine you two dollars and one hours imprisonment for contempt of Court,*" and at the same time directed the constable to take him to prison immediately, which order the constable accordingly proceeded to execute, by taking the memorialist instantly into his custody and conducting him to the jail of said county, and having offered to deliver him to the jailor, he declined receiving him without the requisite commitment in writing, upon which the constable returned with the said memorialist to the justice, and having informed him that the jailor had refused receiving the said memorialist into his custody without such commitment, he immediately proceeded to get Hugh L. Livingston, Esq., attorney at law, who was present in his court, to draft one for the purpose, which having signed officially he delivered to the said constable, who, by virtue thereof, proceeded forthwith to conduct the memorialist to the jail of said county, where he remained the one hour, for which he was sentenced. That some considerable time after this the said justice issued an execution upon the judgment rendered by him in said case against the said memorialist, which he caused to be placed in the hands of Robert Mitchell a constable of said county of Lawrence, who having presented the same to said memorialist, he thereupon paid the same. Your committee would further state, that there were some eight or ten witnesses examined before them, who were all present and witnesses of the transaction above alluded to, having been called there either in the capacity of witnesses or jurors in the case mentioned; that some of these witnesses were called at the suggestion of a friend of the said justice, with a view, as the enquiry must of necessity be wholly exparte, to afford a better opportunity of developing all the facts of the case both for as well as against the said justice. That at the request of said justice, through a legal gentleman who acted as his counsel, and who was permitted by your committee to be present at the examination, the whole of the said witnesses were examined separately and apart from each other, the whole of whose several statements, among which there was, with slight exceptions, an exact co-incidence, went fully to establish the

facts herem set forth and as set forth in the written memorial of the said Borland. That with the exception of the *opinion* of one or two of the witnesses who were called at the suggestion of the said justice, through the medium of his friend as aforementioned, and which opinion was perhaps improperly elicited, there was not adduced any evidence before your committee, except as above stated, which conduced to shew that the said memorialist had been guilty of any contempt towards the justice or his *court*. Your committee therefore entertaining the conviction that the case as presented in evidence justifies an investigation into the conduct of said justice. and that it is one for which he ought to be held to answer before the high court of impeachment of this State, where he could have a proper opportunity of justifying his conduct therein, if possible so to do, and where the memorialist can have that redress afforded him which is secured to him by the Constitution and laws of the land, recommend the adoption of the following resolution, viz:

Resolved, That a select committee be appointed to draft Articles of Impeachment against Alfred J. Athon, a justice of the peace of the county of Laurence, for mal-administration in his said office of justice of the peace, in arbitrarily fining and imprisoning Matthew Borland for an alleged contempt towards him as such justice of the peace, on the 20th of June last past, and that they report the same to this House.

Mr. Lane moved to portpone the further consideration of the resolution, reported by said committee, until the first Monday in December next.

Mr. Henley moved that it be laid on the table;

Which motion was decided in the negative.

The question recurring on the motion of Mr. Lane, to postpone said resolution, and

And the ayes and noes being requested by two member.

Those who voted in the affirmative are,

Messrs. Baber, Brady, Conner, Henderson, Lane, Proffit, Reid, Ruddick, Secrest, and Steele—10

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bell, Bonner, Bryant, Casey, Clark, Clawson, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Henley, Hite, Hoover, Huntington, Jones, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Nelson, Noble, Paddacks, Peyton, Polke, Reynolds, Robinson, Rose, Slaughter, Smiley, Stanford, Stevenson, Tebbs, Thornton, Vawter, Wallace, Willett, Williams, Wilson, Wooden and Moore, Speaker—62.

And so said motion was decided in the negative:

The question then being put on the adoption of said resolution,

It passed in the affirmative.

Ordered, That Messrs. Thornton, Huntington, Bryant and Finch, be a committee in pursuance thereof.

On motion of Mr. Davis,

Resolved, That his Excellency the Governor, be requested to inform this House, whether any, and if any, what correspondence has passed between him and the Governor of Illinois, in relation to the Wabash fund, and also, to report if any, what correspondence has passed between him and the War Department, agreeably to the act on that subject; approved Jan. 29, 1830.

Mr. Slaughter moved the following resolution,

Resolved, That the House will take up the orders of the day, precisely at ten o'clock, A. M. during the balance of the present session.

Mr. Hoover moved to amend the resolution, by striking out the word "ten" and inserting the word "eleven," in lieu thereof;

Which motion did not prevail.

Mr. Davis moved to amend said resolution, by adding thereto the following:

"*Provided*, That this rule may be suspended, two thirds of the House concurring without debate."

Which motion was decided in the negative, and

On the question, to adopt said resolution,

It passed in the affirmative.

Mr. Thornton moved the following resolution:

Resolved, That the rules heretofore adopted for the transaction of business in this House, be changed during the remainder of the Session, as follows, viz:

At 10 o'clock, A. M. of each day, if not previously reached, the orders of the day shall be taken up, and after 11 o'clock, A. M. bills ordered to a third reading, shall be brought on, in order that they may be passed and sent to the Senate.

At 2 o'clock, P. M. bills &c. committed to the committee of the whole, shall be taken up and acted upon, and upon the arrival of the hours aforesaid, it shall be the duty of the Speaker, if the House should be engaged in the discussion of any previous order, immediately to arrest the same, and proceed without motion, to the next class of orders, and upon resolutions, simply proposing an inquiry; no discussion shall be had but the same shall be decided without either amendment or debate,

Which was read, and

On motion of Mr. Logan,

Laid on the table;

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Huntington,

Resolved, That the committee on claims, be instructed to report a bill, making specific appropriation for discharging the expenses of the funeral of the Hon. Theodore C. Cone, late a member of this House, from the county of Vigo.

Mr. Thornton moved the following resolution:

Resolved, That the several bills pending in this House, providing for the location and establishment of roads, shall, so soon as the same may be passed, be all laid on the table, with a view to have the same committed to a committee of revision, to be composed of the standing committees on roads, of the two Houses, who shall proceed to digest the same into one bill, and the better to enable them to carry the object of this resolution into effect; the said committee are instructed to meet and confer together, in joint committee on that subject and that they report the result of their deliberations, to their respective Houses, in time to enable them to act finally on the subject, during the present Session; and that the Senate be informed thereof, and the adoption of a similar resolution on their part requested.

Which was read, and

On motion of Mr. Thornton,

Laid on the table.

Mr. Brady after having obtained leave, presented a joint resolution for the benefit of the citizens of Indianapolis,

Which was read the first time and passed to a second reading.

On motion of Mr. Davis,

The House then proceeded to consider the orders of the day.

The bill to amend an act entitled "an act to regulate grist-mills and millers," approved Feb. 10, 1831.

Was read the second time, and

On motion of Mr. Lane,

The further consideration thereof was indefinitely postponed.

The bill to amend an act entitled "an act to appropriate part of the 3 per cent. fund and for other purposes," approved February 10, 1831,

The bill to locate a state road from Lagrange in the county of Tippecanoe, to Logansport in the county of Cass,

The bill changing the boundary line between the counties of Elkhart and St. Joseph,

The bill to locate a state road therein named,

The bill to incorporate the Fredonia school society, in Crawford county,

The bill amendatory of the act entitled "an act organizing cir-

cuit courts and defining their powers and duties," approved January 24, 1831, and

The bill to locate a state road from Winchester in Randolph county, to Newcastle in Henry county,

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill to repeal part of the 13th section of an act entitled "an act regulating the practice in suits at law," approved January 29, 1831; was read the second time;

Mr. Thornton moved to commit it to the committee on the judiciary;

Before the question was put thereon,

Mr. Angle moved that the further consideration of said bill be indefinitely postponed—and

The ayes and noes being requested thereon by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Casey, Clark, Clawson, Conner, Cotton, Cox, Crume, Crumpton, Davis, Flake, Grover, Hanna, Heaton, Hite, Hoover, Jones, Lane, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Noble, Parks, Polke, Proffit, Reid, Robinson, Rose, Secrest, Smiley, Stanford, Tebbs, Vawter, Wallace, Willet, Williams, Wilson and Wooden—46.

And those who voted in the negative are,

Messrs. Bonner, Brady, Bryant, Cravens, Culley, Decker, Durham, Ferguson, Finch, Frame, Gardner, Griggs, Hargrove, Harrod, Henderson, Henley, Huntington, Livingston, Mastin, Paddacks, Peyton, Reynolds, Ruddick, Slaughter, Steele, Stevenson, Thornton and Moore, Speaker—28.

And so the further consideration of said bill was indefinitely postponed.

On motion of Mr. Davis,

The several orders of the day which precede the engrossed joint resolution on the subject of the printing of the laws of the present session of the General Assembly were for the present postponed.

The said joint resolution was then read the third time and passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence.

The bill to incorporate the New Albany, Salem, Indianapolis and Wabash rail road company,

Was read the second time and committed to the same committee of

the whole House, to which is committed the bill to incorporate the Ohio and Wabash rail road company.

The joint resolution of the General Assembly, relative to procuring Tract Books and lists of relinquishments; was read the 2d time.

Mr. Stevenson moved to commit it to a committee of the whole House for to-morrow.

Which motion did not prevail.

Ordered, That said joint resolution be engrossed and read a third time to-morrow.

The bill to authorize a review of the county seat of Grant under certain conditions therein named, was read the second time;

On motion of Mr. Murray,

The word "separate" in the first section thereof was stricken out, and the word "then" inserted in its place.

The said bill was then ordered to be engrossed and read a third time to-morrow.

The bill to incorporate the New-Albany and Terre Haute turnpike company;

Was read the second time and committed to the same committee of the whole House to which is committed the bill to incorporate the Ohio and Wabash rail-road company.

The bill to divorce Archibald Parker from Anna Parker;

Was read the second time—and

On motion of Mr. Maxwell,
Indefinitely postponed.

The bill making general appropriations for the year 1832;

Was read the second time and committed to a committee of the whole House for to-morrow.

The engrossed bill from the Senate to ratify and confirm an act of the legislature of Kentucky, incorporating a company to build a bridge across the Ohio river at the Falls;

Was read the second time:

Mr. Gardner moved to commit it to the same committee of the whole House to which a bill of this House of the same title is committed—and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Alley, Bonner, Bryant, Clawson, Cravens, Crumpton, Culley, Flake, Gardner, Grover, Hanna, Maxwell, Morris, Murray, Reynolds, Robinson, Rose, Secrest, Steele, Tebbs, Williams, Wilson and Moore, Speaker—23.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Brady, Casey, Clark, Conner, Cotton, Cox, Crume, Davis, Decker, Durham, Ferguson, Finch, Frame, Griggs, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Ruddick, Slaughter, Smiley, Stanford, Stevenson, Thornton, Vawter, Wallace, Willet and Wooden—51.

And so said motion was decided in the negative.

Mr. Crumpton moved that the House adjourn until to-morrow morning nine o'clock—and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Bryant, Conner, Cravens, Crume, Crumpton, Culley, Davis, Flake, Frame, Gardner, Griggs, Hanna, Huntington, Maxwell, Murray, Nelson, Noble, Peyton, Secrest, Smiley, Stevenson, Tebbs, Wallace, Wilson and Moore, Speaker—25.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Brady, Casey, Clark, Clawson, Cotton, Cox, Decker, Durham, Ferguson, Finch, Grover, Hargrove, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Slaughter, Stanford, Steele, Thornton, Vawter, Willet, Williams and Wooden—48.

And so said motion was decided in the negative.

Mr. Gardner then moved that the House adjourn until to-morrow morning nine o'clock—and

The ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Bryant, Clawson, Conner, Cravens, Crume, Crumpton, Flake, Frame, Gardner, Hanna, Huntington, Maxwell, Murray, Nelson, Noble, Peyton, Secrest, Smiley, Stevenson, Vawter, Wallace, Williams, Wilson and Moore, Speaker—26.

And those who voted in the negative are,

Messrs. Angle, Baber, Bell, Bonner, Brady, Casey, Clark, Cotton, Cox, Culley, Davis, Decker, Durham, Ferguson, Finch, Griggs, Grover, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover,

Jones, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Slaughter, Stanford, Steele, Tebbs, Thornton, Willet and Wooden—48.

And so said motion was decided in the negative.

Mr. Proffit moved to amend said bill by adding the following as an additional section, viz:

"SEC. That should the State of Indiana, at any future day incorporate a company to erect a bridge across the Ohio river, the state of Kentucky shall allow of such erection on the same terms, and on any part of said river within the jurisdiction of that State, and with provisions equally favorable to the state of Indiana and to its citizens as are now provided for to the state and citizens of Kentucky in this bill."

Before the question was put thereon, Mr. Smiley moved that the House adjourn until to-morrow morning at nine o'clock,

And the ayes and noes being requested by two members,

Those who voted in the affirmative are,

Messrs. Alley, Bell, Bonner, Brady, Bryant, Casey, Clawson, Cravens, Crume, Crumpton, Davis, Flake, Gardner, Griggs, Grover, Hargrove, Harrod, Huntington, Morris, Murray, Nelson, Noble, Peyton, Reid, Rose, Smiley, Steele, Vawter, Wallace, Williams, Wilson and Moore Speaker—32.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Clark, Cotton, Cox, Culley, Decker, Durham, Ferguson, Finch, Frame, Hanna, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Moyer, Paddacks, Parks, Polke, Proffit, Reynolds, Robinson, Ruddick, Slaughter, Stanford, Stevenson, Tebbs, Thornton, Willet and Wooden—40.

And so said motion was decided in the negative.

Debate arising upon the amendment moved by Mr. Proffit,

The previous question was called for by Messrs. Cotton, Willet and Wallace;

Pending said previous question;

A motion was made by Mr. Stevenson to lay said bill on the table—and

Before a decision was had thereon,

The House adjourned until to-morrow morning, nine o'clock.

THURSDAY MORNING, JANUARY, 19, 1822.

The House met pursuant to adjournment.

The following message was received from the Senate, on yesterday, by Mr. Morris their assistant Secretary;

Mr. Speaker:

The Senate has passed engrossed bills, from the House of Representatives, entitled "acts," as follows, to wit:

"An act providing for the location of a state road from Wood's ferry, on the east fork of White river, in Lawrence county, to Bloomfield, in Green county."

"An act to repeal an act, entitled "an act, to authorize the Board of Justices of Bartholomew county, to levy an additional tax," approved, January 10, 1829."

"An act for the relief of John Bonner, of Jennings county."

"An act to dissolve the corporation of Crawfordsville, and for other purposes."

"An act to authorize the Trustees of the Seminary fund, of Pike county, to loan said fund to the Board of Commissioners of said county, and for other purposes."

The three last named bills with amendments to each, in which the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate, to the three bills of the House, last named in said message, were severally read and agreed to by the House.

Ordered, That the Clerk inform the Senate thereof.

The following message was received from the Senate, on yesterday, by Mr. Morris their assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills, from the House of Representatives, entitled 'acts,' as follows, to wit:

An act to incorporate the Decatur county Seminary.

An act respecting the Knox county Poor house.

An act to incorporate the Green county Seminary.

An act to refund the revenue of Grant county.

An act to authorize the Board of Commissioners of Floyd county, to contract for keeping and taking care of paupers of said county and for other purposes.

An act to legalize the elections of county Commissioners in the several counties in this State, held on the 1st Monday in August, 1831.

An act declaring Hogan Creek, in Dearborn county, a public highway.

An act to incorporate the Danville School Society.

An act to authorize the citizens of the Congressional Township,

No. 20, North of Range No. 10, West, in the county of Warren, to dispose of the School Section therein.

An act for the relief of John Jones.

An act to incorporate the Fredericksburgh Bridge company.

An act to alter and re-locate part of the Vernon and Port Wayne state road, and part of the Shelbyville state road in Rush county.

The three last named bills with amendments.

The Senate has also passed engrossed bills of the Senate, entitled 'acts,' as follows, to wit:

An act to authorize the Marion Circuit court, to hold a special session for the trial of John Edwards.

An act to authorize the procuring of evidence in cases of impeachment.

In which bills of the Senate and amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The first and fifth amendments proposed by the Senate, to the engrossed bill of the House, for the relief of John Jones, named in said message, were read and agreed to.

The sixth amendment was read and agreed to, with an amendment.

The second, third, fourth, and seventh amendments, were read and disagreed to.

Ordered. That the Clerk inform the Senate thereof and ask their concurrence in the said amendment, made by the House to the sixth amendment of the Senate.

The several amendments proposed by the Senate, to the two bills of the House last named in said message, were read and agreed to.

The engrossed bill of the Senate first named in said message, was three times read, (the rules of the House having first been dispensed with,) and passed.

Ordered. That the Clerk inform the Senate thereof.

The engrossed bill of the Senate last named in said message, was read the first time and passed to a second reading.

Mr. Morris from the joint committee on enrolled bills reported.

That they had compared the enrolled, with the engrossed bills, memorial and joint resolution, entitled as follows:

A joint resolution, providing for the erection of a Tomb-stone, over the grave of the late Theodore C. Cone, Esq. deceased.

A memorial of the General Assembly of the State of Indiana, relative to the Louisville and St. Louis Mail route.

An act to legalize the proceedings of the School Trustees, of Congressional Township No. 5, North of Range 4 East, in Jackson county.

An act to authorize the Vermillion Circuit court, to change the venue in a certain case therein named.

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills, memorial and joint resolution.

Ordered, That the Clerk carry them to the Senate, for the signature of their President.

The House then proceeded to consider the orders of the day and Resumed the consideration of the engrossed bill from the Senate, to ratify and confirm an act of the Legislature of Kentucky, incorporating a company to build a bridge across the Ohio river at the Falls, depending at the last adjournment.

When

Mr. Stevenson withdrew his motion to lay said bill on the table.

Messrs. Cotton, Willett and Wallace also withdrew their call for the previous question.

The question then recurred on the motion of Mr. Proffit, to add an additional section, undetermined at the adjournment on last evening, and

The ayes and noes being requested by Messrs. Cravens and Proffit.

Those who voted in the affirmative are,

Messrs. Alley, Bonner, Clawson, Conner, Cravens, Crumpton, Culley, Flake, Frame, Gardner, Hanna, Hargrove, Huntington, Maxwell, Morris, Murray, Proffit, Reynolds, Robinson, Secrest, Steele, Tebbs, Vawter, Williams Wilson and Moore, Speaker—26.

And those who voted in the negative are.

Messrs. Aker, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Crume, Davis, Decker, Durham, Ferguson, Finch, Griggs, Grover, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Reid, Rose, Ruddick, Slaughter, Smiley, Stanford, Stevenson, Thornton, Wallace, Willett and Wooden—48.

And so said motion was decided in the negative.

Mr. Maxwell moved to amend the bill by inserting therein, at the end of the first section, the following proviso:

“Provided however, that the span or arch of said bridge, over the main channel, on the Indiana side, shall not be less than three hundred feet wide.”

And the ayes and noes being requested thereon by Messrs. Maxwell and Robinson,

Those who voted in the affirmative are,

Messrs. Clawson, Cravens, Crumpton, Culley, Flake, Gardner,

Grover, Maxwell, Reynolds, Robinson, Secrest, Tebbs, Vawter, and Williams—14.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Conner, Cotton, Cox, Crume, Davis, Decker, Durham, Ferguson, Finch, Frame, Griggs, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Rose, Riddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Thornton, Wallace, Willet, Wilson, Wooden and Moore, Speaker—60.

And so said motion was decided in the negative.

Mr. Cravens moved to amend the bill by adding the following as an additional section:

"SEC. That the State of Indiana reserves the right to alter and amend this act, so as to ensure to herself and her citizens the full enjoyment of a perfect equality of immunities and jurisdiction with Kentucky and those of that State;"

Which question having been stated from the chair, (Mr. Thornton then occupying it, having been called there by the Speaker) the ayes and noes were called for by several members, not rising from their seats to make such call;

Whereupon,

The Speaker decided that members requesting the ayes and noes must do so by rising in their places and addressing the chair, and that the names of the two members making the request would be noted on the journal.

From which decision Mr. Willet appealed to the House, which was seconded by Mr. Crume,

And on the question,

Is the decision of the chair correct?

The ayes and noes being requested by Messrs. Cravens and Logan,

Those who voted in the affirmative are,

Messrs. Aker, Bell, Bonner, Brady, Casey, Clark, Conner, Cotton, Cravens, Crumpton, Culley, Decker, Durham, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Henderson, Henley, Hoover, Huntington, Jones, Livingston, Mastin, Maxwell, Murray, Noble, Paddacks, Feyton, Reid, Reynolds, Robinson, Rose, Secrest, Steele, Stevenson, Tebbs, Vawter, Williams and Wilson—47.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bryant, Clawson, Cox, Crume, Davis, Ferguson, Finch, Flake, Harrod, Heaton, Hite, Lane, Logan,

Lynd, Morris, Moyer, Nelson, Parks, Polke, Proffit, Ruddick, Slaughter, Smiley, Stanford, Wallace, Willet and Wooden—30.

And so said question was carried in the affirmative.

And then the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment,

And resumed the consideration of the engrossed bill from the Senate, depending at the last adjournment;

The question recurred on the motion of Mr. Cravens, to amend the bill by adding an additional section—and

The ayes and noes being requested thereon by Messrs. Cravens and Willet,

Those who voted in the affirmative are,

Messrs. Alley, Clawson, Conner, Cravens, Crumpton, Culley, Davis, Flake, Frame, Gardner, Hargrove, Huntington, Jones, Maxwell, Murray, Reynolds, Robinson, Rose, Secrest, Stanford, Steele, Tebb, Vawter, Williams and Moore, Speaker—25.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bonner, Brady, Bryant, Casey, Clark, Cotton, Cox, Crume, Decker, Durham, Ferguson, Finch, Griggs, Grover, Harrod, Heaton, Henderson, Hesley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Ruddick, Slaughter, Smiley, Stevenson, Thornton, Wallace, Willet and Wooden—15.

And so said motion was decided in the negative.

Mr. Cravens moved to amend the 3d section of the bill, which reads as follows, to wit:—

“Sec. 3. The circuit courts of the counties of Clark and Floyd, and such other inferior courts of competent jurisdiction therein, shall have equal jurisdiction of all offences committed in either county, as fully and completely as is provided for the jurisdiction of the Jefferson circuit court, by the 17th section of the said act of incorporation.”

By striking out the word ‘in,’ after the word ‘committed,’ and inserting in lieu thereof these words, ‘within the present jurisdiction of.’

The ayes and noes being requested thereon by Messrs. Cravens and Gardner,

Those who voted in the affirmative are,

Messrs. Brady, Clawson, Conner, Cravens, Crumpton, Flake,

Gardner, Griggs, Hanna, Jones, Maxwell, Morris, Reynolds, Robinson, Rose, Stanford, Steele, Stevenson, Tebbs, Vawter, Wilson and Moore, Speaker—22.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Bryant, Casey, Clark, Cotton, Cox, Crume, Culley, Davis, Decker, Durham, Ferguson, Finch, Frame, Grover, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Ruddick, Secrest, Slaughter, Smiley, Thornton, Wallace, Willet, Williams and Wooden—51.

And so said motion was decided in the negative.

Mr. Robinson moved to amend the bill by adding the following as an additional section, viz:

“Sec.—That it shall be the duty of said bridge company to furnish at their own expense, a sufficient number of pilots, for the purpose of directing all boats or other vessels, rafts of plank, timber, or other lumber through said bridge, and said company shall be accountable for all loss that may be sustained by any persons navigating said river, on account of the erection of said bridge, unless the loss be sustained by negligence, or by persons refusing the aid of such pilot; and said company shall be accountable to any person who may be unreasonably detained in waiting for the assistance of said pilot.”

And the ayes and noes being requested thereon by Messrs. Robinson and Maxwell,

Those who voted in the affirmative are,

Messrs. Alley, Bonner, Clawson, Conner, Cravens, Crume, Crumpton, Flake, Frame, Gardner, Hanna, Huntington, Maxwell, Murray, Reynolds, Robinson, Tebbs, Vawter, Williams, Wilson and Moore, Speaker—21.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Culley, Davis, Decker, Durham, Ferguson, Finch, Griggs, Grover, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Thornton, Wallace, Willet and Wooden—53.

And so said motion was decided in the negative.

Mr. Cravens moved to amend the bill by adding the following as an additional section, viz:—

"Sec.——That it shall be in the power of the State of Indiana, and she hereby reserves to herself the right, at any time after the expiration of thirty years from the passage of this act, to purchase and become the owner of one half of said bridge, from said corporation, and enjoy all the franchises, rights and privileges thereof, on paying one half of the amount expended in the building and erection thereof, together with interest on said expenditures from the time of disbursement, at the rate of 6 per centum per annum: deducting all the income received by said corporation until such purchase shall be made.

Mr. Lane moved to amend said amendment by striking out the word "thirty," and inserting in lieu thereof the words "one hundred and fifty."

Mr. Morris proposed the number 'fifty.'

A division of the question was called for by Mr. Hoover—and

Being put on the first branch thereof, to wit:—on striking out the word 'thirty,'

It was decided in the negative.

Whereupon,

Mr. Morris moved to reconsider said vote—and

Before a decision was had thereon,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, JANUARY 20, 1832.

The House met pursuant to adjournment.

The following message was received from the Senate on yesterday, by Mr. Morris their assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills from the House of Representatives entitled "acts," as follows, to wit:

An act providing for a relocation of a part of the Fort Wayne State road.

An act to provide for the location of a certain State road therein named.

An act to locate a State road from Spencer in Owen county, by way of Bowlinggreen in Clay county, to Terre-Haute in Vigo county.

An act to change a part of the State road from Indianapolis via Danville and Rockville to Montezuma.

An act to establish a State road from the county seat of Grant to the county seat of Elkhart.

An act for the relief of Francis McClelland of Marion county.

An act to amend the 24th section of an act entitled "an act to ap-

appropriate a part of the three per cent. fund and for other purposes, approved February 10, 1831.

An act to amend an act entitled "an act establishing certain State roads therein named and for other purposes, approved February 10, 1831.

All without amendment.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills and joint resolutions from the House of Representatives entitled as follows:

An act amendatory of an act to provide for the location of a certain State road therein named, approved February 10, 1831, with an amendment.

A joint resolution on the subject of the printing of the laws of the present session of the General Assembly, without amendment.

Also, engrossed bills of the following titles, to wit:

An act to establish a State road from Knightstown in Henry county, by way of Pendleton in Madison county, to Strawtown in Hamilton county.

An act to provide for the election of electors of President and Vice President of the United States.

An act to revive an act entitled "an act for the relief of the subscribers to the building of the State prison and for other purposes," approved January 10, 1831.

An act to amend the act entitled "an act to provide for the location of certain State roads therein named," approved February 10, 1831; and:

An act to provide for the relocation of a part of the Fort Wayne and Winchester State roads;

With amendments to each.

The Senate has also passed engrossed bills and joint resolution of the Senate, as follows, to wit:

An act to authorize the incorporation of Lyceums.

An act to amend the act to authorize the loaning of the Seminary funds, approved January 21, 1828.

An act to provide a fund to encourage common schools; and:

A joint resolution relative to the public lands.

In which bills and joint resolution of the Senate, and the amendments proposed to the bills from the House of Representatives, I am directed to ask the concurrence of the House.

The Senate insist on the 2d, 3d and 4th amendments, proposed by them to the engrossed bill of the House entitled "an act for the relief of John Jones," and they disagree to the amendment proposed by the House, to the 6th amendment proposed by them to said bill.

The several amendments proposed by the Senate to the bills of the House, first, secondly, fourthly and sixthly named in said message, were read and agreed to.

The first amendment of the Senate to the bill of the House, thirdly therein named, was read and disagreed to, and in the other amendments of the Senate to said bill the House concurred.

The amendment of the Senate to the bill of the House, fifthly therein named, was read and disagreed to.

Ordered, That the clerk inform the Senate thereof.

The engrossed bills and joint resolution of the Senate named in said message were severally read the first time and passed to a second reading.

The House insisted on their disagreement to the second, third and fourth amendments proposed by the Senate to the engrossed bill of the House last named in said message, and on the amendment proposed by the House to the 6th amendment of the Senate to said bill; and

On motion of Mr. Ruddick,

Ordered, That a committee of free conference be appointed, on the part of the House to take into consideration with a similar committee to be appointed on the part of the Senate, the subject matter of the disagreeing votes of the two Houses on those amendments.

Whereupon,

Messrs. Ruddick and Thornton were appointed that committee on the part of the House.

Ordered, That the clerk inform the Senate thereof, and request a similar committee on their part.

The hour having arrived for passing to the orders of the day, Mr. Bell moved that they be for the present postponed, and that he have leave to make a report; and leave having been given,

Mr. Bell from the select committee to which were referred the petitions of sundry citizens of the counties of Delaware, Henry and Madison, and a remonstrance on that subject, reported a bill to locate a state road from Munceytown, in Delaware county, to Pendleton, in Madison county;

Which was read the first time and passed to a second reading.

Mr. Vawter moved that the orders of the day be further for the present postponed, and that the committee of ways and means have leave to make a report;

Which motion was decided in the negative.

The House then proceeded to consider the orders of the day; and

Resumed the consideration of the engrossed bill from the Senate to ratify and confirm an act of the Legislature of Kentucky incorporating a company to build a bridge across the Ohio river at the falls, depending at the last adjournment.

The question being put on the motion of Mr. Morris to reconsider the vote on the first branch of the amendment proposed by Mr. Lane, to the amendment moved by Mr. Cravens to-wit, on striking out the word "thirty" from that part of said amendment which referred to the time when the state of Indiana shall have the right to purchase half of said bridge,

It was decided in the negative.

Mr. Proffit moved to amend said amendment by striking out the word "thirty," and inserting in lieu thereof the word "sixty."

Mr. Noble proposed the number "forty."

Mr. Lane proposed the number "ninety."

A division of the question having been called for by Mr. Logan,

It was put on striking out,

And decided in the negative.

Mr. Crume moved to amend said amendment by striking out the concluding part thereof, to-wit, the following words:

"Deducting all the income received by said corporation until such purchase shall be made;"

Which motion was decided in the negative.

Mr. Davis moved to amend said amendment by striking out of the first clause thereof the following words:

"In the power of the state of Indiana, and she hereby expressly reserves to herself the right, at any time after";

And inserting in lieu thereof these words:

"The duty of said state of Indiana at";

And after some discussion thereon,

Mr. Davis withdrew said amendment.

The question recurred on the amendment moved by Mr. Cravens.

And the ayes and noes being requested by Messrs. Cravens and Logan,

Those who voted in the affirmative are,

Messrs. Bonner, Clawson, Conner, Cravens, Crume, Crumpton, Culley, Flake, Frame, Gardner, Grover, Huntington, Jones, Maxwell, Murray, Noble, Proffit, Reynolds, Robinson, Rose, Steele, Stevenson, Tebbs, Vawter, Williams, Wilson and Moore, Speaker—27.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Davis, Decker, Durham, Ferguson, Finch, Griggs, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Paddacks, Parks, Peyton, Polke, Reid, Ruddick, Secrest, Slaughter, Smiley, Stanford, Thornton, Wallace, Willet and Wooden—47.

And said motion was decided in the negative.

Mr. Morris moved to amend the bill by adding the following as an additional section:

"Sec. — The State of Indiana reserves to herself the right to alter or amend the ratification of this act of incorporation after the expiration of seventy-five years from the passage of this act."

Mr. Stevenson moved to strike out the number 'seventy-five,' from said amendment; and insert the number 'fifty.' And

The ayes and noes being requested by Messrs. Robinson and Morris,

Those who voted in the affirmative are,

Messrs. Brady, Clawson, Conner, Cravens, Crumpton, Culley, Decker, Flake, Frame, Gardner, Grover, Jones, Maxwell, Noble, Proffit, Reid, Reynolds, Robinson, Rose, Stanford, Stevenson, Tebbs, Vawter, Williams, Wilson and Moore, Speaker—25.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Bryant, Casey, Clark, Cotton, Cox, Crume, Davis, Durham, Ferguson, Finch, Griggs, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Reid, Ruddick, Secrest, Slaughter, Smiley, Steele, Thornton, Wallace, Willet and Wooden—49.

And so said motion was decided in the negative.

The question recurring on the amendment proposed by Mr. Morris, and

The ayes and noes being requested by Messrs. Crume and Noble,

Those who voted in the affirmative are,

Messrs. Alley, Bonner, Brady, Clawson, Conner, Cotton, Cravens, Crume, Crumpton, Culley, Davis Decker, Flake, Frame, Gardner, Grover, Hanna, Henderson, Hoover, Huntington, Jones, Maxwell, Morris, Murray, Noble, Parks, Proffit, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Stevenson, Tebbs, Thornton, Vawter, Wallace, Williams, Wilson and Moore, Speaker—41.

And those who voted in the negative are:

Messrs. Aker, Angle, Baber, Bell, Bryant, Casey, Clark, Cox, Durham, Ferguson, Finch, Griggs, Hargrove, Harrod, Heaton, Henley, Hite, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Nelson, Paddacks, Peyton, Polke, Ruddick, Slaughter, Smiley, Steele, Willet and Wooden—33.

And so said motion passed in the affirmative.

Mr. Proffit moved to amend the bill by adding the following as an additional section, viz:

"Sec.—That should the directors of said bridge company, or their agents, grant any privilege of free passage, short toll, or any other arrangement beneficial to the citizens of Kentucky, on account of their locality, neighborhood trade, pursuit or profession, the same privileges of free passage, short toll, or any other privilege so granted, shall be extended to the citizens of Indiana, under the same circumstances."

And the ayes and noes being requested thereon by Messrs. Lane and Crumpton,

Those who voted in the affirmative are,

Messrs. Alley, Conner, Cravens, Crume, Crumpton, Culley, Flake, Huntington, Jones, Maxwell, Noble, Proffit, Reynolds, Robinson, Stevenson, Tebbs, Vawter, Willet and Williams—19.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Cotton, Cox, Davis, Decker, Durham, Ferguson, Finch, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Reid, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Thornton, Wallace, Wilson, Wooden and Moore, Speaker—55.

And so said motion was decided in the negative.

The previous question was then called for by Messrs. Cotton, Stanford and Decker; and

Pending that question,

A motion was made by Mr. Slaughter to lay said bill on the table.

Before the question was put on said motion,

Mr. Willet moved that the House adjourn until 2 o'clock P. M.

And the ayes and noes being requested by Messrs. Proffit and Noble on the question of adjournment,

Those who voted in the affirmative are,

Messrs. Angle, Bell, Bonner, Brady, Bryant, Casey, Conner, Cravens, Crume, Crumpton, Davis, Flake, Gardner, Grover, Heaton, Hoover, Huntington, Jones, Livingston, Lynd, Mastin, Maxwell, Moyer, Murray, Noble, Paddacks, Parks, Polke, Reid, Reynolds, Robinson, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Tebbs, Thornton, Vawter, Wallace, Willet and Williams—43.

And those who voted in the negative are,

Messrs. Aker, Alley, Baber, Clark, Clawson, Cotton, Cox, Culley, Decker, Durham, Ferguson, Finch, Frame, Hanna, Hargrove, Harrod,

Henderson, Henley, Hite, Lane, Logan, Morris, Nelson, Peyton, Proffit, Secrest, Stevenson, Wilson and Moore, Speaker—28.

And so the House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment,
And resumed the consideration of the engrossed bill from the Senate depending at the last adjournment—when

Mr. Slaughter withdrew his motion to lay said bill on the table.

Messrs. Cotton, Stanford and Decker also withdrew their call for the previous question.

Mr. Parks moved to reconsider the vote taken this morning on the amendment proposed by Mr. Morris to said bill;

And the ayes and noes being requested thereon by Messrs. Lane and Proffit,

Those who voted in the affirmative are,

Messrs. Aker, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Davis, Durham, Ferguson, Finch, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Nelson, Paddacks, Parks, Peyton, Polke, Rud-dick, Slaughter, Smiley, Steele, Thornton, Wallace, Willet and Wooden—40.

And those who voted in the negative are,

Messrs. Alley, Bonner, Clawson, Conner, Cravens, Crume, Crump-ton, Culley, Decker, Flake, Frame, Gardner, Grover, Hanna, Hun-tington, Jones, Maxwell, Morris, Murray, Noble, Proffit, Reid, Rey-nolds, Robinson, Rose, Secrest, Stevenson, Tebbs, Vawter, Williams, Wilson and Moore, Speaker—32.

And said vote was reconsidered.

The question recurring on the said amendment—and

The ayes and noes being requested by Messrs. Noble and Proffit,

Those who voted in the affirmative are,

Messrs. Alley, Bonner, Clawson, Conner, Cravens, Crume, Crump-ton, Culley, Decker, Flake, Frame, Gardner, Grover, Hanna, Hun-tington, Jones, Maxwell, Morris, Murray, Noble, Proffit, Reid, Rey-nolds, Robinson, Rose, Stevenson, Tebbs, Vawter, Williams, Wilson and Moore, Speaker—31.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Davis, Durham, Ferguson, Finch, Hargrove, Harrod,

Heaton, Henderson, Henley, Hite, Hoover, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Nelson, Paddacks, Parks, Peyton, Polke, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Thornton, Wallace, Willet and Wooden—42.

And so said motion was decided in the negative.

Mr. Huntington moved to amend the bill by adding the following proviso to the first section thereof, to wit:

“Provided that the bridge contemplated to be erected under the provisions of this act, and the act of the State of Kentucky, shall revert to, and become the joint property of the States of Kentucky and Indiana, when the receipts of tolls thereon shall have paid the expenses of its construction, repairs, insurance, and twelve per cent. thereon to the stock-holders, in said company, to be free for the passage of all the inhabitants of the earth, except so far as it may be necessary for said States by mutual legislation, to assess tolls for keeping the same in repair, and to effect good and sufficient insurance thereon.”

Mr. Angle moved to amend said amendment by striking out the word ‘twelve’ and inserting the word ‘fifteen;’

Which was accepted by Mr. Huntington as a modification thereof.

Mr. Henley moved to amend the same by inserting after the words ‘per centum’ these words, ‘per annum,’ and

Debate arising thereon,

The previous question was called for by Messrs. Lane, Wooden and Willet—and was put, to wit:

‘Shall the main question be now put?’

The ayes and noes being requested on said previous question, by Messrs. Cravens and Lane,

Those who voted in the affirmative are,

Messrs. Aker, Baber, Bell, Bryant, Casey, Clark, Cotton, Cox, Culley, Davis, Decker, Durham, Ferguson, Finch, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Ruddick, Slaughter, Smiley, Stanford, Wallace, Willet, Wilson and Wooden—44.

And those who voted in the negative are,

Messrs. Alley, Angle, Bonner, Brady, Clawson, Conner, Cravens, Crume, Crumpton, Flake, Frame, Gardner, Grover, Hanna, Huntington, Logan, Maxwell, Noble, Reynolds, Robinson, Rose, Secrest, Steele, Stevenson, Tebbs, Thornton, Vawter, Williams and Moore, Speaker—29.

And so said previous question passed in the affirmative.

The main question was then put, viz:

Shall the bill pass to a third reading?—and

The ayes and noes being requested by Messrs. Morris and Davis,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Clawson, Cotton, Cox, Davis, Decker, Durham, Ferguson, Finch, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Thornton, Wallace, Willett and Wood—54.

And those who voted in the negative are.

Messrs. Bonner, Conner, Cravens, Crume, Crumpton, Culley, Flake, Frame, Gardner Maxwell, Morris, Noble, Reynolds, Robinson, Tebbs, Vawter, Williams Wilson and Moore, Speaker—19.

And so it was ordered that said bill pass to a third reading.

Mr. Hoover from the joint committee on enrolled bills, reported that they did on this day present to the Governor for his approval and signature the following acts and joint resolutions, to wit

An act to legalize the proceedings of the school trustees of congressional township No. 5, north of range 4 east, in Jackson county,

An act to authorize the Vermillion circuit court to change the venue in a certain case therein named,

A memorial of the General Assembly of the State of Indiana relative to the Louisville and St. Louis mail route.

A joint resolution providing for the erection of a tomb-stone over the grave of the late Theodore C. Cone, Esq., deceased—and

A joint resolution of the General Assembly for the relief of Daniel Pattingale.

Mr. Lane moved that the several orders of the day which precede the engrossed bill from the Senate, to ratify and confirm an act of the legislature of Kentucky, incorporating a company to build a bridge across the Ohio at the Falls, be for the present postponed, and that said bill be read a third time now;

Which motion passed in the affirmative.

The said bill was then read the third time—when

Mr. Stevenson moved to recommit it to a select committee with instructions to amend it, so as to provide that at the end of thirty years the States of Indiana and Kentucky shall have the right of renewing the charter of the corporation in such a manner as they may think just and reasonable—and

The ayes and noes being requested thereon by Messrs. Huntington and Stevenson,

Those who voted in the affirmative are,

Messrs. Bonner, Brady, Cravens, Crume, Crumpton, Flake, Frame, Gardner, Hanna, Huntington, Maxwell, Noble, Proffit, Reynolds, Robinson, Rose, Secrest, Stevenson, Tebbs, Vawter, Williams, Wilson and Moore Speaker—23.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cox, Culley, Davis, Decker, Durham, Ferguson, Finch, Grover, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Reid, Ruddick, Slaughter, Smiley, Stanford, Steele, Thornton, Wallace, Willet and Wooden—50.

And so said motion was decided in the negative.

Mr. Cravens moved to postpone the further consideration of said bill until the first Monday in December next;

And the ayes and noes being requested thereon by Messrs. Cravens and Tebbs,

Those who voted in the affirmative are,

Messrs. Cravens, Flake, Gardner, Maxwell, Noble, Reynolds, Robinson, Rose, Tebbs, Williams, Wilson and Moore, Speaker—12.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cox, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Frame, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Thornton, Vawter, Wallace, Willet and Wooden—60.

And so said motion was decided in the negative.

The question being then put,
"Shall said bill pass?"—and

The ayes and noes being requested by Messrs. Wooden and Morris,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Brady, Bryant, Casey,

Clark, Clawson, Cotton, Cox, Davis, Decker, Durham, Ferguson, Finch, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Thornton, Wallace, Willet and Wooden—54.

And those who voted in the negative are,

Messrs. Bonner, Conner, Cravens, Crume, Crumpton, Culley, Flake, Frame, Gardner, Maxwell, Morris, Noble, Reynolds, Robinson, Rose, Tebbs, Vawter, Williams, Wilson and Moore, Speaker—20.

And so said bill passed.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned until to-morrow morning nine o'clock.

SATURDAY MORNING, JANUARY 21, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House the following communication in writing, from the Governor and an accompanying document there in referred to; which were read and referred to the committee on the judiciary, to wit:

"EXECUTIVE DEPARTMENT,
Indianapolis, Thursday January 19th, 1832.

The Hon. H. H. MOORE,

Speaker of the H. of Representatives,

SIR—In compliance with a resolution of the House of Representatives, calling on the Governor "to inform the House if any evidence is on file in his office authorizing the State to claim and possess any salt spring or springs in the county of Dearborn, under an act of Congress of April 19, 1816," I now communicate to the House, such information and evidence as I have been able to obtain, relating to the salt spring supposed to be alluded to in the above recited resolution. Having casually learned, during the last autumn, that the occupants of the saline reserve in Dearborn county, belonging to the State had, in virtue of an alleged pre-emption right, entered it at the Land office of the United States, immediately on my coming into office an enquiry was set on foot and a correspondence opened with several gentlemen of that county on the subject, intending to lay the matter before the legislature. That I might embody all the documentary and other evidence relating to the State's chain of title, going beyond the act of Congress of April 1816, to connect it with that law, and

give a history of the proceedings under which the adverse claim is now set up, a letter was addressed to the Register of the Land office, on the 18th of last month, asking a copy of the evidence of settlement filed by the tenants, a copy of the instructions received from the Commissioner of the General Land office, permitting this entry to be made, and other information and documents which his office affords. Believing the Register would not withhold any information necessary to a full understanding of this extraordinary attempt to wrest from the State so valuable a property, this report has been delayed for an answer by last evening's mail; but I have not had the pleasure of receiving one, although I am advised, through another channel, of the receipt of my letter. Deprived of the benefit of such light as the records and documents of the Register's office would throw on the subject, I submit such facts and information as have been derived from other sources.

The laws of Congress regulating the survey and sale of the public lands, made it the duty of the surveyors to report, and the Land officers to reserve from sale, all lands supposed to contain salt springs, &c., and among other reservations in the then territory of Indiana, either in consequence of the report of the surveyor, or of a deposition filed by one Charles Deford, Section No. 25, Town 6, Range 1, situate in Dearborn county, was called a "saline section" and reserved from sale. By what authority is not known, but this Charles Deford erected salt works on that section, and afterwards sold them to one Aaron Schogin, who continued to manufacture salt until the price was put down by the introduction of salt from other works. Subsequently, and while yet under the territorial government, one John Perine claimed the South east quarter of the section, under a pre-emption law of Congress, he having erected a grist mill on it; his application was rejected, however, by the Register of the Land office, on the ground that it was a part of the saline reserve. Mr. Perine, for the same reason, applied to Congress for permission to enter, which was granted on the condition, that three individuals, to be appointed for that purpose should, after an examination, report to the Land officers that the South east quarter did not contain a salt spring; which being accordingly done, a patent was issued to him. The remaining three quarters of this reserve section, passed to the State on our acceptance of the propositions contained in the act of Congress of April 1816, enabling the people of the then territory, to form a Constitution and enter into our present grade of government, and since that time the State has exerted her right in various acts of ownership. The first measure was, by legislative enactment, to provide for the appointment of superintendents by the Executive; and so early as January 2d, 1817, Governor Jennings appointed one Mahlon Brown as such, who on behalf of the State took possession of the premises and placed them in charge of a suitable number of tenants. At an after period Brown resigned and his place was filled by the appoint-

ment of John Perine, on the 11th of March, 1822, who was acknowledged by the tenants, and in the capacity of Agent performed many official acts. Mr. Perine having removed from the State, and the statute of the 22d January 1824, enjoining the duty on the President judges, the Hon. Miles C. Eggleston, in pursuance of the statute, on the 4th day of January 1830, made the following lease of the whole property, to David Guard, to wit:—————" By virtue of this instrument, Mr. Guard took possession of the property, but permitted the tenants in possession to remain.

From the foregoing it may be seen, that there has been no abandonment of property on the part of the State, but on the contrary she has guaranteed peaceable possession to David Guard, until the 4th. January 1833.

Some time during the past year an individual of the county told Mary Muir, John Davis and Thomas Branan, the tenants in possession, they were entitled to the land at Congress price, under the late preemption law, and as they were poor he proposed to furnish the purchase money and give them \$100 each, provided they would constitute him *attorney in fact*, with authority to sell and convey, which was agreed to. He also required a quit claim deed from each and a bond in the sum of \$4,000, conditioned for the payment of a fee of \$2000, which operated as a lien on the land. Thus guarded he proceeded to Cincinnati and from thence to Washington, and having procured an entry, obtained the patents. While gone, and before the issuing of the patents, the tenants publicly revoked the power of attorney, through the newspapers, and afterwards deeded the land to others. The agent on his return from the city, under his *quit claim* deed from the tenants, made a conveyance to Levi Miller for one thousand dollars per quarter section, and in addition conveyed each lot *as attorney in fact for the tenants* with a consideration of one hundred dollars per quarter.

This Reserve would now command \$8000 in cash, and if sold on a short credit will not bring less than \$10,000.—It will therefore remain for the legislature to point out some summary mode for the removal of all persons who will not acknowledge the authority and right of the State, by becoming tenants under the existing or some other regulations.—As our other saline reserves may be equally liable to be wrested from us, it may be well to provide for the removal of all persons who neglect the proper steps in settling on those lands.

Very respectfully,

N. NOBLE."

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with engrossed bills entitled as follows:

An act declaring Hogan creek in Dearborn county, a public highway.

An act to refund the revenue of Grant county.

An act to authorize the board of Commissioners of Floyd county, to contract for the keeping, and taking care of the paupers of said county, and for other purposes.

An act to legalize the election of county Commissioners, in the several counties in this State, held on the first Monday in August 1831.

An act for the location of a state road from Woods ferry, on the East branch of White river, in Lawrence county, to Bloomfield, in Green County.

An act respecting the Knox county Poor House.

An act to incorporate the Danville School Society.

An act to provide for relocating a part of the Mauk's ferry State road; also to provide for the sale of the materials of the Muscatatuck bridge and for other purposes.

An act to authorize the citizens of the Congressional township No. 20, North of Range 10 West, in the county of Warren, to dispose of the school section therein.

An act to repeal an act entitled an act to authorize the board of justices of Bartholomew county to levy an additional tax, approved January 10, 1829.

An act to authorize the Marion circuit court to hold a special session.

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, That the Clerk carry them to the Senate, for the signature of their President.

A message was received from the Governor, by Mr. Griffith his private secretary, notifying that he did on yesterday approve and sign the following bills, joint resolution and memorial:

An act to authorize the Vermillion circuit court to change the venue in a certain case therein named.

An act to legalize the proceedings of the school trustees of Congressional Township No. 5, North of Range 4 East, in Jackson county.

A joint resolution providing for the erection of a tomb-stone over the grave of the late Theodore C. Cone, Esq., deceased; and

A memorial of the General Assembly of the State of Indiana, relative to the Louisville and St. Louis mail route;

Which originated in the House of Representatives.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills and a joint resolution of the Senate, entitled as follows, to wit:

An act to locate and open part of a State road leading from the town of Madison, through Vevay, to Lawrenceburgh, in Dearborn county.

An act to locate a State road from Greensburgh, by way of Goshen, to Columbus.

An act to locate a State road from the town of Lewisville, in the county of Henry, to Newcastle the county seat of said county.

An act to authorize the Agent of State to lease a certain square in the town of Indianapolis, to the board of trustees of the county Seminary of Marion county.

An act to appoint commissioners on a State road in Gibson and Pike counties; and

A joint resolution of the General Assembly, providing a mode of gradually amending the laws.

In which engrossed bills and joint resolution, I am directed by the Senate to ask the concurrence of the House of Representatives.

The Senate insist on their proposed amendment to the engrossed bill of the House entitled "an act to amend an act entitled an act to provide for the location of certain State roads therein named," approved February 10, 1831.

They also continue to insist on the second, third, fourth and seventh amendments proposed by them to the engrossed bill of the House entitled "an act for the relief of John Jones, and insist on their disagreement to the amendment proposed by the House to their fourth amendment to said bill—and have appointed Messrs. Herod and Whitcomb a committee of free conference to act with a committee appointed on the part of the House, to take into consideration the disagreeing votes of the two Houses, on said bill.

The senate recede from the first amendment proposed by them to the engrossed bill of the House, entitled "an act to provide for the election of electors of President and Vice President of the United States.

The several bills and the joint resolution of the Senate named in said message were severally read the first time and passed to a second reading.

On motion of Mr. Clawson,

The House receded from their disagreement to the amendment proposed by the Senate to the engrossed bill of the House to amend an act entitled an act to provide for the location of certain State roads therein named" approved February 10, 1831, mentioned in said message.

Ordered, That the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication, in writing, from the Governor:

EXECUTIVE DEPARTMENT,
Indianapolis, 20th January, 1832.

The Hon. H. H. MOORE,

Speaker of the H. of Representatives,

SIR:—The resolution of the House, requesting a copy of the correspondence had with the Governor of Illinois, and with the War Department, agreeably to the act of 29th January, 1830, was transferred to my predecessor, who informs me that the correspondence desired may found at page 109 of the journals of the House of Representatives of the last session.

I am &c.

Your obedient servant,

N. NOBLE.

The hour having arrived for passing to the orders of the day, Mr. Baber moved they be for the present postponed, and that he have leave to introduce a bill:

Which being granted by the House,

Mr. Baber presented a bill to amend an act entitled "an act to appropriate part of the 3 per cent. fund and for other purposes," approved February 10, 1831; so far as the same respects the county of Green;

Which was read the first time and passed to a second reading.

On motion of Mr. Morris,

The operation of the resolution adopted by the House relative to proceeding to the orders of the day at 10 o'clock, A. M. was suspended for the purpose of considering the preceding order of business.

Mr. Bryant presented a petition of James Kelsey and others, citizens of Parke county, praying for aid from the State to build a bridge across Big Raccoon creek, at Dickson's mills;

Which was read and referred to a select committee of Messrs. Bryant, Bell and Wallace.

Mr. Vawter from the committee of ways and means made the following report:

"The committee of ways and means to which was referred the communication made to this House, on the 14th instant, by William Polke, commissioner of Michigan road lands, asking compensation for services rendered as such commissioner;—also to be reimbursed for monies by him paid to sundry persons for their services rendered him in the execution of his duty as commissioner—and for a committee of this House to examine said commissioner's books, vouchers, and expenditure of money as commissioner aforesaid—

Your committee report that they have attended to the duties assigned them, found an excellent set of books, with all the lands granted for making said road properly registered in the same, with a per-

fect set of maps, all of which do exhibit the road lands in all their variety of divisions. Your committee carefully examined all vouchers for money disbursed by said commissioner; all of which are recorded in a book for that purpose, and all appear to your committee to be fair and reasonable, (at least to a majority of the committee.) It does appear to your committee that the commissioner in executing the duties assigned him by law, did at all times endeavour to sustain the character and interest of the State; and in particular, by redeeming at the time of the land sales, all scrip issued by authority of the State to road contractors—thereby obtaining a better price for the lands sold, and at the same time, settling the debts due to the honest labourer on the road.

Your committee are of opinion that justice and sound policy dictate that the claims of a faithful officer ought immediately to be cancelled, and therefore have directed me to report a joint resolution for the benefit of William Polke and others."

The said joint resolution was read the first time and passed to a second reading.

Mr. Thornton made the following report:

The judiciary committee to which was referred the resolution of this House, directing them "to enquire whether county surveyors, appointed under the provisions of the act of last session, entitled 'an act for the appointment of county surveyors and their deputies,' can supersede those heretofore appointed and commissioned by the Governor to serve *during good behaviour*,—and if not, to enquire into the expediency of repealing said act;" have according to order had that subject under their consideration and have directed me to report—That after an examination of the law relative to the subject, they are of opinion that the several county surveyors, appointed and commissioned by the Governor, to serve *during good behaviour*, cannot be superseded by the persons appointed by the several boards of county commissioners, under the authority of the act of last session. (See Rev. Code 1831, page 516.) Your committee find that by the act of last session, the power to appoint those officers was transferred from the Governor, to the boards doing county business, and that some of those boards, acting under the provisions of said act, proceeded to make appointments to fill offices already held by incumbents appointed by the Governor, as above mentioned. In this your committee believe those boards committed an error, and acted under a mistaken construction of the law of last session; for by referring to the act 'authorizing the reprinting of sundry acts and for other purposes,' approved February 10, 1831, (See Rev. Code, 1831, page 334, sec. 3,) it will be seen that there is a saving clause therein, which embraces the cases mentioned in said resolution, and concerning which, information is asked. Your committee would also add that they deem it inexpedient to change or repeal the present law, as

they conceive the provision therein vesting the appointment of those officers in the several boards doing county business, is to be preferred to the provision of the former law which conferred such appointment, upon the executive, as being more satisfactory to the people, and the best calculated to insure judicious appointments.

All of which is respectfully submitted."

Mr. Thornton from the same committee made the following report:

The judiciary committee to which was referred the resolution of this House instructing them to enquire whether any, and if any, what legislation is necessary to cause the 20th Section of the 3d Article and the 13th Sec. of the 11th Art. of the Constitution of Indiana to be respected, and also to enquire whether offices under the General Government and the government of Indiana, can consistently be held by the same persons at the same time, and especially whether Postmasters can be justices of the peace or members of the General Assembly or Associate Judges or county Treasurers, have, according to order, had the same under their consideration, and are clearly and decidedly of opinion, that the exercise by any one individual of the office of Associate Judge is manifestly incompatible with that of county Treasurer, and they would extend this principle to the exercise of *any* two offices under the government of this State, from or by which the incumbent either directly or indirectly derives any compensation or emolument whatever, however small or inconsiderable such compensation or emolument may be, as such offices would, notwithstanding, come within the description of those called *lucrative*, and of course would be embraced by the prohibition contained in the 13th Section of the 11th Article of our Constitution. The language of this section is so plain and unequivocal as to render any commentary obviously unnecessary, and in the opinion of the committee would only tend to obscure and render doubtful *that* which is already as plain and simple as language can possibly be used to express it. Your committee feel that it would be trespassing on the time and patience of this House so to do. They also unhesitatingly repudiate the ridiculous construction given by some to the above named section of the Constitution, that no office can be deemed "*lucrative*" unless it prove to be *profitable* to the incumbent. The intention of the wise framers of that instrument is therein clearly indicated, and that was, to exclude from our form of government that aristocratic and odious principle, long sanctioned by the practice of despotic governments, which permitted a monopoly of lucrative offices by one and the same individual; a principle as your committee conceive, openly at war and wholly alien to the nature and genius of *our* free institutions. As regards the other description of offices, to wit, that of Postmasters, it must be admitted there is more grounds for doubt, but upon a mature examination of the subject, your committee are insensibly induced to the conclusion, that the ex-

ercise of that appointment is incompatible with a seat in the General Assembly of this State. Your committee are aware, that the prohibitory language, used in the Constitution, refers in terms to "*the President of the United States*," from which some have derived the fallacious conclusion, that the office of Postmaster, being immediately conferred by the Postmaster General instead of the President of the United States, cannot be said to be "*held under the authority of the latter*;" in addition to which they contend that it is not an *office* but simply a mere *appointment*, and being such does not come within the precise terms of the said 20th Section of the 3d Article of the Constitution, and therefore is not embraced by it. This construction is certainly not warranted by the rules of reason and common sense, and does appear to your committee to be grossly fallacious. Although the appointment of Postmasters is generally made by the Postmaster General and upon his own responsibility, yet when it is recollected that that officer is himself the mere creature of the President, holding his office at his mere will and pleasure, it is not perceived how any distinction can be taken between holding an office conferred *immediately* by the President or by the Postmaster General—it may still be said to be held "*under the authority of the President*;" which would be bringing it fully within the *letter* of the Constitution; but if that should be denied, no one can be hardy enough to allege, that it is not embraced by its spirit and meaning. To arrive at a correct conclusion on the subject, we must enquire what was the intention of the framers of the Constitution when they made this provision? The answer is too obvious to admit of a moment's doubt. It was most assuredly to prevent the exercise of an undue influence by the Executive of the Union over our own local lawgivers, which might produce results of the most dangerous character and tend to subvert the independence of our *State* institutions. Nor does your committee perceive, how a more favorable construction can be given to the exercise of an *appointment* over that of an *office*, if the emoluments are the same and both drawn from the same source. It is impossible for your committee to perceive how an *appointment* to which a salary of \$3000 is attached, can be less corrupting to the incumbent than an *office* would be with an equal salary, and held by a like tenure. It would seem to a man of plain common sense, that the influence and effect of the one would be equally potent with that of the other; and that an *office*, merely because it might be evidenced upon the richest parchment, under the sign-manual of the President, could offer greater inducements to its incumbent to become subservient to the will of the President, than if such incumbent had been *spoken* into existence by his *oral fiat*. The plain unsophisticated truth is, that it is the circumstance of being *employed*, no matter *how* or in what *form* such employment is induced, which renders the principle herein involved objectionable, and gives to it its just impress.

Entertaining convictions like these, your committee are impelled

to the inevitable, though reluctant conclusion, that no post master, whether his appointment be derived mediately or immediately from the President, can consistently with the above provision of the constitution, occupy a seat in the General Assembly; and with a view to prevent in future the recurrence of cases similar to those named and referred to in the above resolution, they have directed me to report a bill declaratory of the true meaning of the constitution, and designating those offices, the exercise of which is deemed incompatible with each other.

The above bill entitled a bill declaring certain offices incompatible was read the first time and passed to a second reading.

Mr. Aker from the select committee to which was referred the petition of citizens of Randolph county, praying a State road from the Ohio State line to Logansport, reported a bill to provide for the location of a State road therein named;

Which was read the first time and passed to a second reading.

Mr. Angle from the select committee to which was referred the petition of Polly Bell reported a bill to divorce Polly Bell from Henry Bell and for other purposes;

Which was read the first time,

When Mr. Lane moved to reject said bill;

Which motion was decided in the negative.

Ordered, That said bill pass to a second reading.

Mr. Cravens from the select committee to which was referred the petition of R. C Talbott and John Alling reported a joint resolution for the relief of the petitioners;

Which was read the first time and passed to a second reading.

On motion of Mr. Thornton,

The resolution moved by him and laid on the table on the 18th instant relative to changing the order of business during the remainder of the session, was taken up;

And on the question,

Shall said resolution be adopted?

It passed in the affirmative.

Mr. Davis moved to take up the resolution heretofore moved by Mr. Morris and laid on the table on the subject of adjourning *sine die* on the 28th instant (the Senate concurring:)

Which motion was decided in the negative.

Mr. Wallace after having obtained leave presented a bill to appropriate the amount of the three per cent fund heretofore appropriated to Daviess county for road No. 6 to certain purposes therein named;

Which was read the first time and passed to a second reading.

Mr. Thornton after having obtained leave presented a bill to incorporate the Brownstown manufacturing company;

Which was read the first time and passed to a second reading.

Mr. Murray after having obtained leave presented a bill establishing the bounds of a new county;

Which was twice read (the rules of the House having been dispensed with;) and

On motion of Mr. Gardner,

Laid on the table.

The House then proceeded to consider the orders of the day.

Engrossed bills from the Senate entitled as follows, to wit:

An act to incorporate the town of Terre-Haute,

An act to authorize the incorporation of Lyceums, and

An act to amend the act to authorize the loaning of the Seminary funds, approved January 24, 1828;

Were severally read the second time and ordered to be read a third time on Monday next.

The joint resolution for the benefit of the citizens of Indianapolis; Was read a second time, and

On motion of Mr. Crume,
Indefinitely postponed.

The engrossed bill from the Senate to authorize the procuring of evidence in cases of impeachment was read the second time;

Mr. Henderson moved that it be laid on the table;

Which motion was decided in the negative:

It was then ordered that said bill pass to a third reading on Monday next.

The engrossed bill from the Senate to provide a fund to encourage common schools;

Was read the second time and committed to the committee of ways and means.

The engrossed joint resolution from the Senate relative to the public lands; was read the second time,

Mr. Brady moved that the further consideration thereof be indefinitely postponed;

Which motion was decided in the negative.

A motion was made by Mr. Henly that it lie on the table;

Which was decided in the negative.

It was then ordered that said joint resolution do pass to a third reading on Monday next.

The bill to locate a State road from Munceytown in Delaware county to Pendleton in Madison county;

Was read the second time and ordered to be engrossed and read a third time on Monday next.

The engrossed bill supplemental to an act entitled "an act to incorporate the Wabash insurance company;"

Was read the third time and passed.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate to authorize certain proceedings of the board of commissioners of Union county;

Was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Angle,

Leave was given him to withdraw two remonstrances against the formation of a new county out of territory to be detached from the counties of Montgomery, Parke and Putnam.

The House then resumed the consideration of the orders of the day.

The engrossed bill to divorce Catherine Russell from her husband James Russell:

Was read the third time.

The question being put,

Shall the bill pass?

The ayes and noes being requested thereon by Messrs. Thornton and Morris,

Those who voted in the affirmative are,

Messrs. Angle, Aker, Alley, Baber, Bell, Brady, Clark, Conner, Crume, Davis Decker, Durham, Ferguson, Gardner, Grover, Hanna, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Murray, Nelson, Reid, Reynolds, Ruddick, Secrest, Slaughter, Smiley, Stanford, Stevenson, Tebbs, Vawter, Willet Williams, Wilson and Moore, Speaker—38.

And those who voted in the negative are.

Messrs. Bonner, Bryant, Casey, Clawson, Cox, Cravens, Crumpton, Culley, Flake, Griggs, Hargrove, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Noble, Parks, Peyton, Polke, Robinson, Rose, Steele, Thornton, and Wallace—28.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Engrossed bills and joint resolutions and memorials of the following titles, to wit:

A bill to amend the act entitled an act to provide for the commissioning of Sheriffs and coroners and to regulate their duties approved January 7, 1824 and for other purposes.

A memorial and joint resolution of the General Assembly of the State of Indiana, relative to the publick lands.

A bill to amend an act entitled an act confirming to John J. Akin, Alexander Walker and John J. Livingston certain rights, approved January 6, 1831,

A bill for the relief of John M. Colman,

A bill to amend the act entitled an act for opening and repairing public roads and highways approved February 10, 1831,

A bill to locate a State road from Bloomington via Leesville and Spark's ferry to intersect the Mauksferry State road at or near William Logan's in the county of Washington,

A bill to legalize the election of Trustees for the Presbyterian congregation in the town of Evansville,

A bill to incorporate the town of Washington in Daviess county,

A bill to locate a State road from Merom in Sullivan county to Bloomfield in Greene county,

A bill to change a part of the Lafayette State road,

A memorial of the General Assembly of the State of Indiana on the continuation of the construction of the Cumberland road,

A bill to establish a certain State road therein named and for other purposes,

A bill to amend the act entitled an act defining the duties of recorders approved January 19, 1831,

A bill to amend the act entitled "an act respecting salines and saline reserves" approved February 10, 1831,

A bill for the benefit of William C. Bramwell,

A bill to establish a State road from Greensburgh in Decatur county to Brookville in Franklin county,

A bill to amend an act entitled "an act to continue in force an act for the benefit of persons who have or are likely to suffer by the destruction of the recosds of Dearborn county, which were counsmmed by fire in the Court House at Lawrenceburgh on the morning of the 6th March 1826" approved January 29, 1831,

A joint resolution of the General Assembly authorizing the secretary of State to purchase certain books for the use of the State Library,

A bill to relocate a part of the Lawrenceburgh and Rushville State road in Rush county,

A bill legalizing the proceedings of the board of commissioners of St. Joseph county,

A bill to extend a State road therein named,

A bill for the relief of Curtis Smith,

A bill to amend an act entitled "an act to locate a State road from New-Castle in Henry county to Milton in Wayne county,

A bill to amend an act entitled "an act to incorporate the Franklin county seminary," approved January 22, 1830,

A bill to legalize the proceedings of David Miller,

A bill authorizing a change in the Madison and Brownstown State road,

A bill to establish a State road from Napoleon in Ripley county to near Jehu Perkins' in Rush county, and to locate a State road therein named,

A bill regulating the sales of canal lands and for other purposes,

A bill changing the southern boundary of Elkhart county,

A bill to provide for the relocation of the seat of justice of Carroll county,

A bill to amend the act entitled an act to appropriate part of the three per cent. fund and for other purposes approved February 10, 1831, and

A bill locating a State road from Lagrange in Tippecanoe county to Logansport in the county of Cass,

Were severally read the third time and passed.

Ordered, That said bills be entitled acts, and that the clerk carry them together with said memorials and joint resolutions to the Senate and ask their concurrence.

The engrossed bill to dissolve the bands of matrimony between James Putnam and Marry Putnam his wife;

Was read the third time, and

On the question.

Shall the bill pass?

The ayes and noes being requested by Messrs. Thornton and Polke,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Baber, Bell, Brady, Bryant, Clark, Conner, Cox, Crume, Decker, Durham, Ferguson, Flake, Gardner, Grover, Hanna, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Murray, Paddacks, Reynolds, Ruddick, Secrest, Slaughter, Smiley, Stevenson, Tebbs, Vawter, Willet, Williams and Moore, Speaker—36.

And those who voted in the negative are,

Messrs. Bonner, Casey, Clawson, Cravens, Crumpton, Culley, Griggs Hargrove, Harrod, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Nelson, Peyton, Polke, Proffit, Reid, Robinson, Rose, Stanford, Steele, Thornton, Wallace, and Wilson—29.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill to authorize the Owen circuit court to change the venue in a certain case therein named;

Was read the third time and passed.

On motion of Mr. Thornton,

The title thereof was amended so as to read "an engrossed bill for the relief of Samuel Smith."

Ordered, That said bill be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Engrossed bills and joint resolutions from the Senate of the following titles, to wit:

An act supplemental to an act prescribing the mode of changing the venue approved January 28, 1831,

An act declaratory of divers parts of the acts joint resolutions and memorials passed at the last session of the General Assembly,

A joint resolution of the General Assembly adopting the plan of a State House and for other purposes,

A joint resolution relative to the officers and soldiers and the militia who bore arms in the war of the revolution and who are not entitled to pensions under any existing law,

An act for the location of the county seat of Boon county,

An act to locate a State road from Clinton in Vermillion county by Patton's mills to the national road in Vigo county, and

A joint resolution relative to a more perfect organization of the militia of the several States,

Were severally read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill from the Senate to establish a State road from Connersville in Fayette county to Raysville on the national road in Henry county;

Was read the third time, and

On motion of Mr. Crume,

Recommended to a select committee with instructions to amend it so as to make Philpot's mill a point in the road and to strike out of the proviso the words "Fayette, Rush and Henry."

Ordered, That Messrs Crume, Noble, Stanford and Frame be that committee.

The engrossed bill to relocate a part of the State road leading from Greencastle to Russelville;

Was read the third time, and

On motion of Mr. Stevenson,

Recommended to a select committee with instructions to amend it by inserting the following provision, viz:

"And so much of said State road as lies between the points where

the said State road and county road intersect twelve rods north of the four mile stake from Greencastle and two hundred and fifty-five rods north of the six mile stake be and the same is hereby vacated, and that the county road between the points aforesaid be and the same is hereby declared a State road."

Ordered, That Messrs. Stevenson, Livingston and Moyer be that committee.

The Speaker laid before the House a memorial of Alfred J. Athor praying that the exhibition of articles of impeachment against him heretofore determined on by the House, may be expedited in order that he may have a trial before the Senate during the present session;

Which was read and laid on the table.

The engrossed bill to change the name of Jamestown in Montgomery county to New Market;

Was read the third time and passed.

On motion of Mr. Angle,

Its title was amended by striking out the word 'New Market,' and inserting the word 'Carrollton.'

Ordered, That said bill be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to authorize John Lung and and William Sill to apply for a writ of *ad quod damnum* to erect a mill-dam on Tippecanoe river,

Was read the third time, and

On the question—"Shall the bill pass?"

The ayes and noes being requested by Messrs. Vawter and Crumpton,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Culley, Davis, Decker, Ferguson, Flake, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Huntington, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Nelson, Paddacks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Wallace, Willet, Williams, Wilson, Wooden and Moore, Speaker—61.

And those who voted in the negative are,

Messrs. Bonner, Crumpton, Durham, Hoover, Moyer, Murray, Parks and Vawter—8.

And so said bill passed.

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to legalize the sale of the school lands in the county of Montgomery,

Was read the third time and passed.

On motion of Mr. Angle,

The title thereof was amended so as that the latter clause thereof shall read 'counties of Montgomery and Tippecanoe.'

Ordered, That said bill be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to divorce Joseph Nichols from his wife Mimy Nichols,

Was read the third time, and

On the question—'Shall the bill pass?'

The ayes and noes being requested by Messrs. Wooden and Steele.

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Clark, Conner, Cox, Crume, Davis, Flake, Henley, Hoover, Huntington, Secrest, Willet, Wooden and Moore, Speaker—16.

And those who voted in the negative are,

Messrs. Aker, Bell, Bonner, Brady, Bryant, Casey, Clawson, Cotton, Cravens, Crumpton, Culley, Decker, Durham, Ferguson, Griggs, Grover, Hanna, Hargrove, Harrod, Henderson, Hite, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Williams and Wilson—52.

And so said bill was rejected.

The engrossed bill authorizing Hiram Todd of Logansport to expend certain monies heretofore appropriated on the state road from Lafayette, via Delphi and Logansport to Fort Wayne;

Was read the third time and passed.

On motion of Mr. Murray,

The title thereof was amended so as to read: "An engrossed bill to authorize William A. Hood to receive certain money from William McCrery, a road commissioner, and to expend the same."

Ordered, That said bill be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Thornton,

The further consideration of the orders of the day was for the present postponed, and leave was given him to present a report;

Whereupon,

Mr. Thornton from the select committee heretofore appointed to prepare and report articles of impeachment against Alfred J. Athon,

a justice of the peace of Lawrence county, reported an article of impeachment, containing several specifications, as follows, to wit:—

THE STATE OF INDIANA, ss.

Articles of Impeachment exhibited by the House of Representatives of said State, in the name of themselves and of the people of the State of Indiana, against Alfred J. Athon, a Justice of the Peace in and for the county of Lawrence and State aforesaid:

ARTICLE I.

That the said Alfred J. Athon, being then and there a Justice of the Peace, in and for the county and State aforesaid, being duly elected, commissioned and qualified, and acting as such Justice of the Peace for the county and State aforesaid, is, and has been, guilty of mal-administration in his said office of Justice of the Peace, to-wit; at and within the county of Lawrence aforesaid:

SPECIFICATION I.

That on the 20th day of June, in the year of our Lord 1831, at and within the county aforesaid, a certain prosecution had been instituted in the name and on behalf of the State of Indiana against one Calvin M. Evans, (alias Calvin Evans,) before the said Alfred J. Athon, being then and there such Justice of the Peace as aforesaid, upon a charge of having committed an assault and battery upon one Russell Mitchell, and which coming on to be tried before the said Alfred J. Athon, being such Justice as aforesaid, at the office of said Athon, in the town of Bedford, in the county aforesaid, and a jury being required to try the case, a *venire* was accordingly issued for that purpose by the said Justice, directed to Elbert Jeter, a constable of said county, to be executed, who in obedience thereto, proceeded to summon the following named persons as jurors in said case, to-wit: John Ikerd, Joseph Rawlings, Elijah Scarboro, Horatio Jeter, John M'Bride, Nathaniel Miller, William Templeton, Joseph Cowan, Jesse Keithley, Abel Vaughan, John Owens and Matthew Borland; who, having all attended in obedience to said summons, at the office of said Justice, were called up by said justice for the purpose of being sworn, preparatory to the trial of said case, when the said Justice proceeded to swear them by four at a time, directing them to raise their hands whilst taking the oath, with which they all severally complied, with the exception of the said Matthew Borland, who owing to impressions received in early life, and a conscientious preference for a different form of taking an oath, declined raising his hand with the other jurors with a wish and intention to be sworn upon the holy Evangelists of Almighty God, *that* being the most consistent with his conscience, and in conformity to his usage and custom. That immediately after administering the said oath to the jury, the

said Justice inquired of them if they were all sworn, to which inquiry the said Matthew Borland answered that *he* was not sworn, upon which the said Justice asked him if he *affirmed*, to which the said Matthew Borland replied he did not, but that he would have to get the *sheep-skin* for *him*, meaning thereby the Bible, which is commonly bound in sheep-skin binding, and supposing that the said Justice was familiar with the use of the term and would so understand him; but the Justice not making any reply, the said Borland then observed to him that he swore on the *Book*. The Justice then asked said Borland if he would take the oath as it was laid down in the statute, to which said Borland answered that he did not know what *that* was.—The Justice then asked him if he had not heard it read, to which said Borland replied, that he had *not*.—The Justice then proceeded to read from the Statute, what *he* deemed to be the form of the oath, necessary to be taken in such case, and then demanded of said Borland, if he objected to taking *that* oath, to which the said Borland replied, that he did *not* but *only* to the *manner* in which he the said Justice administered it, meaning the mode whereby he the said Justice had administered it to the other jurors by using the uplifted hand—whereupon the said Justice, then and there did wickedly, maliciously, unlawfully and corruptly and with the intent to harass, injure and oppress the said Matthew Borland, proceed forthwith to adjudge, that the said Matthew Borland, be fined the sum of two dollars, and be imprisoned for one hour in the jail of the county, and directed the constable in attendance, Elbert Jeter, to execute said sentence forthwith by taking the said Matthew Borland into his custody and conducting him to the jail of the county accordingly, who then and there proceeded to execute the same by immediately taking said Matthew Borland into his custody, and conducting him to the jail of the said county, where he was committed and remained a prisoner therein during *the* one hour. That afterwards, to wit: on the day of August last past, he the said Alfred J. Athon, being then and there such Justice of the Peace as aforesaid, did wickedly, corruptly and maliciously, and with the further intention of carrying the unjust, illegal and oppressive sentence aforesaid into full effect, issue an execution against the said Matthew Borland for the said fine of two dollars, which he caused to be placed in the hands of Robert Mitchell, a constable of said county, to be executed according to law, who being about to enforce the collection of the same, it was thereupon paid off and fully satisfied by the said Matthew Borland: all of which was done wickedly, corruptly, maliciously and unlawfully by the said Alfred J. Athon as such justice of the peace as aforesaid, and with the *express* design and intent to injure, harass and oppress him the said Matthew Borland, in contravention of the constitutional rights and privileges of the said Matthew Borland as one of the free citizens of this State, contrary to the constitution and laws of the State of Indiana and against its peace and dignity.

SPECIFICATION II.

That on the 20th day of June, in the year of our Lord, 1831, at Shawswick township, in the county of Lawrence and state aforesaid, a certain prosecution in the name of the state of Indiana, had been instituted, and came on to be tried before the said Alfred J. Athon, being then and there such Justice of the Peace as aforesaid, at the court house of the county aforesaid, in the town of Bedford, against one Calvin M. Evans, alias Calvin Evans, upon a charge of having committed an assault and battery upon one Russell Mitchell, and a jury being required to try the same, a *venue* was accordingly issued therefor, by said Justice, directed to Elbert Jeter, a Constable of said county, commanding him forthwith to summon such jury, who proceeded in obedience thereto, to summon the following persons to appear before said Justice, at his office, the same being kept in the court house of the county aforesaid, forthwith as jurors in said case, to wit: John Ikerd, Joseph Rawlins, Elijah Scarboro, Horatio Jeter, John M'Donogh, Nathaniel Miller, Wm. Templeton, Joseph Cowan, Jesse Keithley, Abel Vaughan, John Owens and Matthew Borland, who, having all severally attended, in obedience to said summons, at the office of said Justice, were called up and empannelled by him, for the purpose of being sworn to try said case, when he proceeded to swear them by four at a time, directing them to raise their hands whilst taking the oath, with which they all complied with the exception of the said Matthew Borland, who, owing to impressions received in early life, and a conscientious preference for a different form of taking an oath, to wit: by swearing upon the Holy Evangelists of Almighty God, that being the mode the most consistent with his conscience, and in conformity to the one with which he had been uniformly accustomed, declined raising his hand and taking the oath in that form with the other jurors, with the wish and intention to be sworn on the Evangelists as aforesaid. That upon administering said oath to the jury, the Justice enquired if they were all sworn, to which inquiry the said Matthew Borland answered, that *he* was not sworn; upon which the said Justice inquired of him, if he affirmed? to which the said Matthew Borland replied that he did *not*, but that he preferred being sworn upon the *book*, meaning the Holy Evangelists as aforesaid, the Justice then proceeded to read from the statute, what *he* pretended to consider the *form of the oath*, necessary to be administered in such case, and demanded of said Matthew Borland, if he had any *objections* to take *that* oath, to which he answered, that his objections were not directed to the *form of the oath*, but to the *manner* in which it was administered, meaning and distinctly alluding to the manner in which it had just been administered to the other jurors, by using the uplifted hand, instead of the book whilst taking such oath; whereupon the said Alfred J. Athon, being then and there such Justice of the Peace as aforesaid, and whilst sitting and acting in his official capacity as a

foresaid, without any further explanation, caution or remark, and without affording to him, the said Matthew Borland, an opportunity of purging himself from the supposed contempt, if disposed so to do, did, then and there, wickedly, maliciously, unlawfully and corruptly, and with the intent to harass, injure and oppress the said Matthew Borland, adjudge and order that he, the said Matthew Borland, should be fined in the sum of *two dollars*, and be imprisoned in the jail of the county of Lawrence aforesaid, for the space of one hour, which unjust, arbitrary and oppressive sentence, he the said Alfred J. Athon, being and acting as such Justice of the Peace as aforesaid, did then and there, immediately cause to be executed and carried into full effect, by directing the said Matthew Borland to be forthwith committed to the jail of said county, where he remained during the space of the one hour aforesaid, and by coercing from him, the said Matthew Borland, under process of execution, the full amount of the fine of two dollars, so as aforesaid adjudged against him, whereby the said Matthew Borland, is and has been greatly oppressed, harassed and injured in his feelings and circumstances, and put to great trouble, hardship and expense, contrary to the constitution and laws of the state of Indiana, and against its peace and dignity.

SPECIFICATION III.

That on the 20th day of June, in the year of our Lord 1831, at Shawswick township, in the county of Lawrence and state aforesaid, a certain complaint, in the name of the state of Indiana, against one Calvin M. Evans, alias Calvin Evans, charging an assault and battery, as having been committed by him upon one Russell Mitchell, was preferred before the said Alfred J. Athon, being then and there such Justice of the Peace, and acting as such, to try which, the said Justice Athon having directed a jury to be summoned, the following named persons were duly summoned by the proper officer, and attended in obedience thereto, at the office of the said Justice Athon, to-wit: John Ikerd, Joseph Rawlins, Elijah Scarboro, Horatio Jeter, John M'Bride, Nathaniel Miller, Wm. Templeton, Joseph Cowan, Jesse Keithy, Abel Vaughan, John Owens and Matthew Borland: and the case being called for trial, the said Justice Athon proceeded to empanel and swear the said jurors, by calling them up by four at a time, and directing them to use the uplifted hand whilst taking the oath, with which they all complied, with the exception of the said Matthew Borland, who, owing to the influence of early education, and having a conscientious preference to be sworn upon the Evangelists, declined raising his hand and taking the oath in *that* form with the other jurors, with the wish and intention to be sworn upon the holy Evangelists as aforesaid. That after administering said oath to the jury, the said Justice Athon inquired if they were all sworn, to which inquiry the said Matthew Borland answered that he was not sworn, upon which the said Justice Athon inquired of him, if he

affirmed? to which the said Matthew Borland replied that he did *not*; but wished to be sworn upon the *book*, explaining at the same time, that he wished to be sworn upon the holy Evangelists as aforesaid. The said justice Athon then proceeded to read from the *statute*, what *he* pretended to consider the *form* of the oath requisite to be administered in such case, and demanded of said Matthew Borland, if he had any objections to take *that* oath; to which he answered that he had no objections to take the oath, but wished it to be administered to him in a different form from that in which it had been administered to the other jurors as aforesaid, and that he wished to receive it upon the Evangelists aforesaid. Whereupon the said Alfred J. Athon, being then and there such justice of the peace as aforesaid, and acting in his capacity as such, without any further explanation, caution or remark, and without affording to the said Matthew Borland an opportunity of purging himself of any supposed *contempt* towards the said justice Athon, or his *court*, did immediately thereupon, wickedly, corruptly, maliciously and unlawfully, and in express violation of his duty as such justice of the peace as aforesaid, proceed to adjudge that he, the said Matthew Borland, should be fined in the sum of two dollars, and be imprisoned in the jail of the county of Lawrence aforesaid, for the space of one hour, "*for a contempt of court in refusing to be sworn as a juror in said case;*" when in fact, he, the said Matthew Borland, had *not* so refused to be sworn, and had not been guilty of any contempt whatever, towards the said justice Athon or *his court*; which unjust, illegal, arbitrary corrupt and oppressive sentence so awarded by him, as aforesaid, the said justice Athon, against the said Matthew Borland, he the said Alfred J. Athon, being such justice of the peace as aforesaid, and acting under color of his said office, did then and there immediately cause to be executed, by directing the said Matthew Borland to be forthwith committed to the jail of the said county of Lawrence, where he remained in the custody of the keeper, within the walls of the said prison, for the space of the one hour aforesaid, and by coercing from him, the said Matthew Borland, under process of execution, the amount in full of the fine of two dollars, so as aforesaid adjudged against him; whereby the said Matthew Borland is, and has been manifestly harrassed and oppressed, and greatly injured in his feelings and reputation, and been otherwise put to great trouble, hardship and expense, contrary to the constitution and laws of the State of Indiana, and against its peace and dignity.

Which article of impeachment was accompanied by the following resolution, to-wit:

Resolved, That the House agree to the article and specifications aforesaid and that four members be appointed as managers on the part of this house to carry the same to the Senate and to demand that the said Alfred J. Athan be required to appear before the Senate, as &

high court of impeachment, and answer to the same; and that they learn of the Senate at what time it will be convenient for them to enter into the trial of said impeachment;

The said article and accompanying resolution having been read,

Mr. Proffit moved to strike out the word "four" in the latter and insert the word "two"

Which motion was decided in the negative.

The question was then put,

Shall said resolution be adopted?

And passed in the affirmative.

Whereupon,

The Speaker signed said article of impeachment.

Ordered, That Messrs. Thornton, Huntington, Finch and Bryant be appointed managers pursuant to said resolution.

And then the House adjourned until Monday morning, nine o'clock.

MONDAY MORNING, JANUARY 23, 1852.

The House met pursuant to adjournment.

Mr. Ferguson a member of the committee on the judiciary, entered the following protest;

Which was read and ordered to be spread on the journals, viz:

"B. Ferguson dissents from the report of the majority of the committee on the judiciary, to whom was referred the resolution of Mr. Baber, and protests against its entry on the journals of this House."

The House proceeded to consider the following message received from the Senate on Saturday last by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills from the House of Representatives entitled 'acts,' as follows, to wit:

An act authorizing a distribution of the money now due to road No. 8, and for other purposes.

An act to locate a State road from Jefferson in Clinton county to Attica, and from thence to Farmer's ford, and from thence to intersect the Williamsport state road in the direction to Chicago.

An act for the relocation of a part of the Williamsport State road—the first two without, the two latter named bills with amendments to each.

The Senate has also passed engrossed bills of the Senate entitled 'acts,' as follows, to wit:

An act to provide for the location of a State road from the West:

bank of the Wabash river, opposite the public square in the town of Montezuma, to the State line in the direction of Judge Lowry's farm.

An act to establish a State road from Montezuma to Crawfordsville.

An act for the relief of Jacob Whiting.

In which bills of the Senate, and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the engrossed bills of the House, secondly and thirdly named in said message were read and agreed to by the House.

Ordered, That the clerk inform the Senate thereof.

The engrossed bills from the Senate therein named, were severally read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day.

The engrossed bill from the Senate to locate and open part of a state road leading from the town of Madison, through Vevay, to Lawrenceburgh, in Dearborn county,

Was read the second time;

On motion of Mr. Flake,

Said bill was amended by adding the following as an additional section, to wit:

"Sec.——That the state road leading from Madison to Lawrenceburgh, be, and the same is hereby changed, from a point where it strikes the line between sections 34 and 35, town 5, range 2, immediately west of James Lindsay's, in Dearborn county, and run thence east with the line between townships 4 and 5, to a point where it will intersect the old county road from Lawrenceburgh to Madison,"

On motion of Mr. Cotton,

The said bill was further amended by adding the following as an additional section, to wit:

"Sec.——And be it further enacted that the road from Madison passing through Mount Sterling, Jacksonville, Hartford and Wilmington to Lawrenceburgh be, and the same is hereby declared a state road, to be opened and kept in repair in all respects as other public roads are opened and kept in repair."

The said amendments were then ordered to be engrossed and the bill read a third time to-morrow.

The engrossed bill from the Senate to locate a state road from Greensburgh, by way of Goshen, to Columbus;

Was read the second time;

Mr. Alley moved that it be committed to a committee of the whole House for to-morrow,

Which motion did not prevail.

A motion was then made by Mr. Alley that the bill be laid on the table;

And being put,
It passed in the affirmative.

The engrossed bill from the Senate to locate a state road from the town of Lewisville in the county of Henry, to New Castle, the county seat of said county;

Was read the second time;

On motion of Mr. Stanford,

The second section thereof was amended by inserting after the word 'day,' the following: "prior to the 1st day of August ensuing;" referring to the time when the commissioner shall proceed to the discharge of his duties.

The said amendment was then ordered to be engrossed and the bill read a third time to-morrow.

Engrossed bills from the Senate, to wit:

An act to authorize the agent of State to lease a certain square in the town of Indianapolis; and

An act to appoint commissioners on a state road in Gibson and Pike counties;

Were severally read the second time and ordered to a third reading on to-morrow.

The engrossed joint resolution from the Senate providing a mode of gradually amending the laws;

Was read the second time.

Mr. Lane moved that the further consideration thereof be indefinitely postponed;

And the ayes and noes being requested thereon by Messrs. Lane and Thornton,

Those who voted in the affirmative are,

Messrs. Angle, Baber, Bryant, Casey, Clark, Clawson, Cox, Ferguson, Flake, Gardner, Hargrove, Heaton, Henderson, Henley, Hite, Jones, Lane, Livingston, Lynd, Maxwell, Moyer, Nelson, Paddacks, Parks, Proffit, Reid, Robinson, Rose, Secrest, Stanford, Tebbs, Wallace, Willet, Williams and Wooden—35.

And those who voted in the negative are,

Messrs. Aker, Alley, Bell, Bonner, Brady, Conner, Cotton, Cravens, Crume, Culley, Davis, Decker, Durham, Frame, Griggs, Grover, Hanna, Harrod, Hoover, Huntington, Logan, Morris, Murray, Noble, Peyton, Polke, Ruddick, Slaughter, Smiley, Steele, Stevenson, Thornton, Vawter, Wilson and Moore, Speaker—35.

And so said motion was decided in the negative.

Mr. Robinson moved to amend said joint resolution by striking out the words "judges of the Supreme Court and president judge of the circuit courts," wherever they occur, and inserting in lieu thereof the word "people."

Mr. Slaughter moved to amend said amendment by adding after after the word 'people' these words, "of the county of Ripley."

And after discussion,

Mr. Slaughter withdrew his motion to amend said amendment.

Mr. Robinson then withdrew said motion to amend.

Mr. Lane moved to strike out the word "judges," wherever it occurs;

And before a decision thereon,

Mr. Lane withdrew said proposed amendment.

Mr. Stanford moved to amend the joint resolution by striking out so much thereof as requires the Governor in his discretion to lay the notes and suggestions of the several judges, relative to existing imperfections in the statutes before the legislature;

Which motion was decided in the negative.

Mr. Bryant moved to strike out the word "Governor," and all that follows it, in the latter clause of said joint resolution, which clause reads as follows: "and every year transmit a fair copy of their several annotations, on the statutes aforesaid, together with their suggestions and proposed amendments to the Governor of this State, who may in his discretion lay the same or such part thereof as he may deem advisable before both branches of the General Assembly."

And insert in lieu of the part so stricken out the word "legislature."

Mr. Willet moved to lay said joint resolution and proposed amendment on the table.

Which motion was decided in the negative.

The question recurred on the amendment proposed by Mr. Bryant,

And being put,

It was decided in the negative.

Mr. Proffit moved to amend said joint resolution by adding thereto the following:

"And that it shall be the duty of every practising lawyer, in each judicial circuit, to transmit to the Governor of the State of Indiana, his views respecting any amendments such lawyer may think necessary to the laws, and a sketch of such new laws as he may think more beneficial to the people of the State of Indiana, than those in force. And it shall further be the duty of each and every justice of the peace to transmit to the Governor of this State his views of necessary amendments or enactments as he may think necessary."

Mr. Cravens moved to amend said amendment by striking out these words, "every practising lawyer in each judicial circuit," in the first clause thereof, and by inserting in lieu thereof the words "George A. Proffit;"

Which was accepted by Mr. Proffit as a modification of his amendment;

Before a decision was had on said amendment;

Mr. Wallace moved that the further consideration of said joint resolution and proposed amendment be postponed until the first Monday in December next; and

The ayes and noes being requested thereon by Messrs. Crume and Robinson,

Those who voted in the affirmative are,

Messrs. Angle, Baber, Bryant, Casey, Clark, Cox, Ferguson, Flake, Gardner, Hargrove, Heaton, Henderson, Henley, Hite, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Moyer, Nelson, Paddacks, Reid, Reynolds, Robinson, Rose, Secrest, Stanford, Tebbs, Wallace, Willet, Williams and Wooden—34.

And those who voted in the negative are,

Messrs. Aker, Alley, Bell, Bonner, Brady, Clawson, Conner, Cotton, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Finch, Frame, Griggs Grover, Hanna, Harrod, Hoover, Huntington, Morris, Murray, Noble, Parks, Peyton, Polke, Proffit, Ruddick, Slaughter, Smiley, Steele, Stevenson, Thornton, Vawter, Wilson and Moore, Speaker—39

And so said motion was decided in the negative.

The question recurring on Mr. Proffit's amendment;

Before it was put;

Mr. Proffit moved to amend the same by striking out the words "his views," in the first clause thereof, and inserting in their place these words,—“the views of James H. Cravens;”

Which motion passed in the affirmative.

Pending the question on said amendment as amended,

The previous question was called for by Messrs. Noble, Crumpton and Willet,

And being put, to wit:

Shall the main question be now put?

It passed in the affirmative.

The main question was then put, to wit:

Shall the joint resolution pass to a third reading? and

The ayes and noes being requested by Messrs. Lane and Crume,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Bonner, Brady, Clawson, Conner, Cotton, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Finch, Frame, Griggs, Grover, Hanna, Harrod, Hoover, Huntington, Morris, Murray, Noble, Parks, Peyton, Polke, Reynolds, Ruddick, Slaughter,

ter, Smiley, Steele, Stevenson, Thornton, Vawter, Wilson and Moore
Speaker—38.

And those who voted in the negative are,

Messrs. Angle, Baber, Bell, Bryant, Casey, Clark, Cox, Ferguson, Flake, Gardner, Hargrove, Heaton, Henderson, Henley, Hite, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Moyer, Nelson, Paddacks, Proffit, Reid, Robinson, Rose, Secrest, Stanford, Tebbs, Wallace, Willet, Williams and Wooden—35.

And so it was ordered that said joint resolution do pass to a third reading.

The bill to amend the act entitled an act to appropriate part of the three per cent. fund, approved February 10, 1831, so far as the same respects the county of Greene, was read the second time and ordered to be engrossed and read a third time to-morrow.

The joint resolution for the benefit of William Polke and others, was read the second time.

Mr. Moyer moved that it be committed to the committee on claims; Which motion was decided in the negative.

Ordered, That said joint resolution be engrossed and read a third time to-morrow.

The bill declaring certain offices incompatible was read the second time.

Mr. Proffit moved to amend the same by striking out so much as provides that the securities of Post Masters shall be ineligible to the office of member of the General Assembly or any other office under authority of the State.

Before the question was put thereon,

Mr. Thornton moved to commit said bill to a committee of the whole House for to-morrow;

Which motion was decided in the negative:

Mr. Henley then moved that the further consideration of the bill and proposed amendment be indefinitely postponed.

Pending that question,

A motion was made by Mr. Morris to lay the bill and proposed amendment on the table;

Which was decided in the negative.

The question recurred on the motion of Mr. Henley to postpone—and

The ayes and noes being requested by Messrs. Gardner and Maxwell,

Those who voted in the affirmative are,

Messrs. Bonner, Clawson, Cox, Davis, Ferguson, Gardner, Griggs,

Hanna, Hargrove, Heaton, Henley, Lane, Lynd, Maxwell, Murray, Nelson, Paddacks, Proffit, Robinson, Secrest, Stanford, Vawter and Wallace—23.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Conner, Cotton, Cravens, Crume, Culley, Decker, Durham, Finch, Flake, Frame, Grover, Harrod, Henderson, Hite, Hoover, Huntington, Jones, Livingston, Logan, Morris, Moyer, Parks, Peyton, Polke, Reid, Reynolds, Rose, Ruddick, Slaughter, Smiley, Steele, Stevenson, Tebbs, Thornton, Williams, Wilson, Wooden and Moore, Speaker—47.

And so said motion was decided in the negative, Mr. Willet having been excused from voting.

The question recurred on the amendment proposed by Mr. Proffit;

And being put,

It passed in the affirmative.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment, and

Resumed the consideration of the bill declaring certain offices incompatible.

Mr. Davis moved to amend the bill by inserting after the word "Post Masters" wherever it occurs, these words, "printers of the laws of the United States and road commissioners."

Before the question was put thereon, it was,

On motion of Mr. Huntington,

Ordered, That said bill and proposed amendment do lie on the table.

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with engrossed bills and joint resolutions, entitled as follows:

An act to establish a State road from the county seat of Grant to the county seat of Elkhart.

An act to incorporate the Green county Seminary.

An act to alter and relocate a part of the Vernon and Fort Wayne State road, and part of the Shelbyville State road, in Rush county.

An act to amend the 24th section of "an act to appropriate a part of the three per cent. fund and for other purposes," approved February 10th, 1831.

An act to amend an act entitled "an act to establish certain State roads therein named and for other purposes," approved February 10th, 1831.

An act to provide for the relocation of a part of the Fort Wayne and Winchester State roads.

An act for the relief of Francis M'Clelland of Marion county.

An act to authorize and require the trustees of the public Seminary in the county of Pike to collect and loan Seminary fund to said county and for other purposes.

An act to change a part of the State road from Indianapolis via Danville, Rockville to Montezuma.

An act to dissolve the corporation of the town of Crawfordsville and for other purposes.

An act providing for a relocation of a part of the Fort Wayne State road.

A joint resolution on the subject of the printing of the laws of the present session of the General Assembly,

An act to provide for the location of a state road therein named,

An act to revive an act entitled "an act for the relief of the subscribers to the building of the State Prison and for other purposes, approved February 10, 1831,

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills and joint resolutions.

Ordered, That the Clerk carry them to the Senate, for the signature of their President.

Engrossed bills and a joint resolution of the House of the following titles, to wit:

A bill changing the boundary line between the counties of Elkhart and St. Joseph,

A joint resolution of the General Assembly relative to procuring tract books and lists of relinquishments,

A bill to locate a state road therein named,

A bill to authorise a review of the county seat of Grant under certain conditions therein named,

A bill to incorporate the Fredonia School Society in Crawford county,

A bill amendatory to an act entitled "An act organizing circuit courts and defining their powers and duties," approved January 24, 1831.

A bill to locate a state road from Winchester, in Randolph county, to New Castle in Henry county; and

A bill to locate a state road from Munceytown in Delaware county, to Pendleton in Madison county;

Were severally read the third time and passed.

Ordered, That said bills be entitled 'acts,' and that the Clerk carry them together with said joint resolution to the Senate and ask their concurrence.

On motion of Mr. Murray,

The further consideration of the orders of the day was suspended for the present, and the bill establishing the bounds of a new county heretofore laid on the table was taken up;

Mr. Murray moved to commit the same to a select committee.

Mr. Wilson moved to amend said motion so as to instruct said committee to amend the bill by laying off all the territory between Cass and Allen into new counties;

Which motion passed in the affirmative.

And then the bill was so committed.

Ordered, That Messrs. Murray, Wilson and Hanna be that committee.

Engrossed bills and a joint resolution from the Senate of the following titles, to wit:

An act to incorporate the town of Terre-Haute,

An act to authorize the incorporation of Lyceums,

An act to amend the act to authorize the loaning of the Seminary funds, approved January 24, 1828; and

A joint resolution relative to the public lands,

Were severally read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill from the Senate to authorize the procuring of evidence in cases of impeachment,

Was read the third time,

The question being put,

'Shall the bill pass?' and

The ayes and noes being requested thereon by Messrs. Henly and Willet,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Casey, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Davis, Durham, Griggs, Hargrove, Hoover, Huntington, Jones, Maxwell, Murray, Parks, Peyton, Reid, Robinson, Secrest, Slaughter, Steele, Thornton, Vawter, Williams, Wilson and Moore, Speaker—30.

And those who voted in the negative are,

Messrs. Baber, Bell, Bonner, Brady, Bryant, Clark, Cox, Crume, Decker, Ferguson, Flake, Frame, Gardner, Grover, Hanna, Harrod, Henderson, Henley, Hite, Lane, Livingston, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Noble, Paddacks, Polke, Proffit, Reynolds, Rose, Ruddick, Smiley, Stanford, Stevenson, Tebbs, Wallace, Willet and Wooden—41.

And so said bill was rejected.

On motion of Mr. Logan,

The committee of the whole House, to which was committed the bill to incorporate the town of New Albany, were discharged from the further consideration thereof.

On motion of Mr. Thornton,

The 5th section of said bill was amended by striking out so much as authorizes motions against the officers therein named, to be made before the president of said corporation, and inserting in lieu thereof the following:—

“They shall be liable to pay to the president and trustees aforesaid the full amount in arrear, together with full costs, and ten per cent. damages thereon, and six per centum per annum on the whole amount recovered from the time the same should have been paid over until the day of payment; all which may be recovered on motion made before the circuit court, ten days previous notice having been given of such intended motion—and for all which such court is required to render judgment against officer, unless he show cause satisfactory to the court why judgment should not be rendered against him; and upon which judgment, execution may issue, returnable in 30 days from the date thereof, without any stay on the same, or on failure to perform all or any part of the conditions of said bonds, the principals and their securities, or any two or more or either one of them shall be proceeded against by suit, in said court, upon his official bond, and judgment be had thereupon, for the debt, damages, interest and costs above mentioned, upon which execution shall issue returnable as aforesaid.”

On motion of Mr. Moore,

(Mr. Crume at that time occupying the chair instead of the Speaker.)

The 17th section of the bill was amended by striking out the words “before the president,” after the words “conviction thereof,”—and inserting in lieu thereof the following, “upon presentment or indictment or otherwise before any court having competent jurisdiction thereof;” and by striking out the words “common schools,” in the same section and inserting in lieu thereof these words “the county seminary.”

On motion of Mr. Lane,

The said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled an ‘act’ and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Huntington,

The orders of the day were for the present suspended, and leave was given him to introduce a bill;

Whereupon,

Mr. Huntington presented a bill for the benefit of the contractors on the Cumberland road;

Which was read the first time and passed to a second reading.

On motion of Mr. Livingston,

The orders of the day were further suspended, and leave being given him,

Mr. Livingston presented a bill for the relief of John Ferguson, and a petition from said Ferguson praying relief;

Which was read and ordered to accompany said bill, which bill was read the first time and passed to a second reading.

On motion of Mr. Crume,

The consideration of the orders of the day was further suspended for the period of ten minutes.

Mr. Crume from the select committee to which was recommitted the engrossed bill from the Senate, to establish a State road from Connorsville in Fayette county to Raysville on the national road in Henry county, reported the same with three amendments;

Which were read and concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Stevenson from the select committee to which was recommitted the engrossed bill to relocate a part of the State road leading from Greencastle to Russellville, reported the same with one amendment;

Which was read and concurred in.

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Logan,

The House reconsidered the vote given on the 18th inst., on concurring in the report of the committee on claims, which report was unfavorable to the petition of James Blake and Samuel Merrill; and

On motion of Mr. Culley,

It was ordered that said report and petition be recommitted to the committee on claims.

On motion of Mr. Thornton,

The committee of the whole House to which was committed the bill to amend and restrict the charter granted to the Madison Insurance company, were discharged from the further consideration thereof.

On motion of Mr. Cravens,

The bill was amended by adding the following as an additional section, viz:

"Sec. That it shall be sufficient service of process, on the said corporation, to execute a summons, writ, or notice, on the President and Secretary, or a majority of the Directors and Secretary of said

company, and process so executed shall authorize judgment on proceedings by default, against the said corporation, without appearance or plea filed by the corporation, in the same manner that judgment on proceedings are taken by default, against individual persons, on the execution of process."

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Logan,

The committee of the whole House to which was committed the bill for the benefit of Lawson Brent and William Anderson were discharged from the further consideration of said bill.

On motion of Mr. Wallace,

The bill was amended by adding the following as an additional section, to wit:

"Sec. That John W. Harrell, Benjamin Goodwin and Mark Palmer, the former trustees of school section two north, range seven west, in the county of Davis, be allowed fifty cents per day for each days service, rendered as trustees of said school lands, to be paid out of any monies belonging to said school section, and that their successors, who now are acting, shall be allowed the same amount per diem for services which they have rendered, and which they shall hereafter render, as trustees, to be paid out of the same fund."

Ordered, That said bill be engrossed and read a third time to-morrow.

The House resolved itself into a committee of the whole, on the bill to amend the act entitled an act dividing the State into judicial circuits and fixing the times of holding courts therein, approved February 10, 1831, and after some time spent therein the Speaker resumed the chair, and Mr. Lane reported progress and asked leave to sit again—and

Before the question was taken on granting such leave, it was,

On motion of Mr. Thornton,

Ordered, That said bill be laid on the table.

The House resolved itself into a committee of the whole, on the bill to amend an act entitled "an act regulating the taking up of animals going astray and water craft and other articles of value adrift," and after some time spent therein the Speaker resumed the chair and Mr. Davis reported the same with one amendment, to wit, by striking out the first section;

Which was read and concurred in by the House.

On motion of Mr. Logan,

The further consideration of said bill was indefinitely postponed.

On motion of Mr. Logan,

The committee of the whole House to which was committed, the

bill to amend the act entitled "an act regulating the jurisdiction and duties of justices of the peace," approved February 10, 1831, were discharged from the further consideration thereof.

On motion of Mr. Thornton,

The said bill was recommitted to the same committee of the whole House, to which are committed sundry bills on the same subject.

On motion of Mr. Conner,

The committee of the whole House, to which was committed the bill granting relief to the contractors of the Michigan road was discharged from the further consideration thereof.

On motion of Mr. Conner,

Said bill was amended by inserting therein, after the word "contractors," wherever it occurs, these words, "and sub contractors."

Ordered, That said bill be engrossed and read a third time to-morrow.

And then the House adjourned until to-morrow morning nine o'clock.

TUESDAY MORNING, JANUARY, 24, 1832.

The House met pursuant to adjournment.

Mr. Slaughter moved that the motion made by him yesterday to amend the proposed amendment of Mr. Robinson to the engrossed joint resolution from the Senate providing a mode of gradually amending the laws be expunged from the journal of that day;

Which motion not being unanimously allowed, was decided in the negative.

Mr. Hoover from the joint committee on enrolled bills reported that they did on this day present to the Governor for his approval and signature the following bills entitled acts, to wit:

"An act, to legalize the election of county commissioners in the several counties in this State, held on the first Monday of August, 1831,

An act to repeal an act, entitled an act, to authorize the board of justices of Bartholomew county to levy an additional tax, approved January 10, 1829,

An act to authorize the citizens of congressional township No. 20 north of range 10 west in the county of Warren to dispose of the school section therein,

An act to provide for relocating a part of the Mauks ferry State road, also to provide for the sale of materials of the Muscatatuck bridge and for other purposes,

An act to incorporate the Danville school society,

An act to authorize the Marion circuit court to hold a special session,

An act for the location of a State road from Woods ferry on the east branch of White river in Lawrence county, to Bloomfield in Green county.

An act respecting the Knox county poor house,

An act to authorize the board of commissioners of Floyd county, to contract for the keeping and taking care of the paupers of said county, and for other purposes,

An act declaring Hogan creek in Dearborn county a public highway,

An act to refund the revenue of Grant county.

Mr. Morris from the joint committee on enrolled bills reported that they had compared the enrolled with the engrossed bills entitled as follows:

An act to establish a State road from Knightstown in Henry county by way of Pendleton in Madison county to Strawtown in Hamilton county,

An act amendatory of "an act to provide for the location of a certain State road therein named, approved February 10, 1831,"

An act to locate a State road from Spencer in Owen county by way of Bowlinggreen in Clay county to Terre-Haute in Vigo county,

An act for the relief of John Boner of Jennings county,

An act to provide for the Election of Electors of President and Vice President of the United States,

An act to incorporate the Fredericksburgh bridge company,

An act to ratify and confirm an act of the Legislature of Kentucky incorporating a company to build a bridge across the Ohio river at the falls,

And find the same truly enrolled.

When

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Logan made the following report:

"The committee on claims to whom was referred a resolution of this House, instructing the committee to make an appropriation for discharging the expenses of the funeral of the Honorable Theodore C. Cone late a member of this House, have had that subject under their consideration, and are of opinion that P. F. Newland ought to be allowed the sum of thirty-two dollars and sixty cents it being the amount of his bill of expense for said funeral, and directed me to offer for adoption the following resolution,

Resolved, That the committee of ways and means be instructed to

allow to P. F. Newland in the specific appropriation bill the sum of thirty two dollars and sixty cents."

The said resolution was read and on the question of its adoption.

The ayes and noes being requested by Messrs. Huntington and Secrét,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Durham, Ferguson, Finch, Flake, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrét, Slaughter, Smiley, Steele, Tebbs, Thornton, Wallace, Willet, Williams Wilson, Wooden, and Moore, Speaker—66.

And those who voted in the negative are,

Messrs. Bell, Bonner, Decker, Stanford, and Vawter,—5.

And so said resolution was adopted.

Mr. Logan from the same committee made the following report:

"The committee on claims to whom was recommitted a report of said committee on the propriety of the Legislature taking upon themselves the liability assumed by James Blake and Samuel Merrill in contracting for the grading of Washington street in the town of Indianapolis to sixty feet in width opposite the State House square and office of treasurer of State, have had that subject under their consideration and directed me to offer for adoption the following resolution,

Resolved, That the committee of ways and means be instructed to allow James Blake and Samuel Merrill the sum of seventy five dollars out of the Indianapolis fund, the amount paid by them for grading Washington street in front of the State House square in the town of Indianapolis;"

The said resolution was read and agreed to.

Mr. Crumpton from the select committee to which was referred the petition of Wilson Malone and Daniel Mace, reported the following resolution;

Which was read and agreed to, to wit:

Resolved, That the committee of ways and means be instructed to allow Wilson Malone and Daniel Mace thirty dollars each in the specific appropriation bill, for their services as witnesses in favor of the State against ——— Paxton in the Posey circuit court in February 1830.

Mr. Thornton asked and obtained in behalf of himself and the oth-

er managers of the prosecution against Alfred J. Athon leave to withdraw from the Hall for the purpose of carrying the article of impeachment against said Athon to the Senate and to demand on the part of the House that the said Alfred be required to appear before the Senate as a high court of impeachment and answer to the same.

The hour having arrived for passing to the orders of the day,

On motion of Mr. Murray,

The consideration of those orders was for the present suspended, and leave being given him,

Mr. Murray from the select committee to which was committed the bill establishing the bounds of a new county reported the same with several amendments;

Which were read and concurred in by the House.

Ordered, That said bill be engrossed and read a third time tomorrow.

On motion of Mr. Thornton,

The orders of the day were further suspended, and leave having been given him,

Mr. Thornton presented a joint resolution supplemental to the joint resolution on the subject of the printing of the acts, memorials and joint resolutions of the present session of the General Assembly;

Which was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Brady,

The blank therein referring to the number of copies of the acts to be printed was filled with the words "four thousand;"

On motion of Mr. Culley,

The said joint resolution was considered as engrossed read the third time and passed.

Ordered, That the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Cox,

The orders of the day were further suspended, and leave having been given him,

Mr. Cox presented a bill to amend an act entitled an act to appropriate a part of the three per cent. fund approved February 10, 1831;

Which was read the first time and passed to a second reading.

On motion of Mr. Tebbs,

The orders of the day were further suspend, and leave having been given him,

Mr. Tebbs presented a bill to incorporate the Harrison and White water bridge company;

Which was read the first time and passed to a second reading.

Mr. Crume moved that the orders of the day be further suspend-

ed and that the vote heretofore given on the adoption of the resolution moved by Mr. Thornton relative to the order of business be reconsidered;

Which motion was decided in the negative.

The House then proceed to consider the orders of the day.

The bill to provide for the location of a State road therein named and

The joint resolution for the relief of R. C. Talbott and John Al-ling;

Were severally read the second time and ordered to be engrossed and read a third time to-morrow.

The bill to divorce Polly Bell from her hunsband Henry Bell and for other purposes;

Was read the second time;

Mr. Bryant moved that the further consideration thereof be indefinitely postponed;

And the ayes and noes being requested by Messrs. Lynd and Morris,

Those who voted in the affirmative are,

Messrs. Bonner, Bryant, Casey, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Decker, Durham, Flake, Griggs, Hargrove, Harrod, Henley, Jones, Lane, Logan, Lynd, Maxwell, Morris, Moyer, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Robinson, Rose, Ruddick, Smiley, Steele, Tebbs, Thornton, Wallace, and Moore, Speaker—39.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Brady, Clark, Cox, Crume, Davis, Ferguson, Finch, Gardner, Grover, Hanna, Heaton, Henderson, Hite, Hoover, Huntington, Livingston, Mastin, Murray, Reynolds, Secrest, Slaughter, Stanford, Stevenson, Vawter, Willet, Williams, Wilson and Wooden—33.

And so the further consideration of said bill was indefinitely postponed.

Mr. Ruddick moved that the orders of the day be for the present postponed and that the engrossed bill from the Senate to locate a State road from Greensburgh by way of Goshen to Columbus heretofore laid on the table be taken up;

Which motion was decided in the negative.

The bill appropriating certain sums of the three per cent fund for certain purposes therein named;

Was read the second time; and

Before any order was taken thereon,

The Speaker announced the arrival of the hour for passing to bills on their third reading.

Engrossed bills from the Senate of the following titles, to wit:

An act to locate and open part of a State road leading from the town of Madison, through Vevay to Lawrenceburgh in Dearborn county,

An act to locate a State road from the town of Lewisville in the county of Henry to Newcastle the county seat of said county,

An act to authorize the agent of State to lease a certain square in the town of Indianapolis to the board of trustees of the county Seminary of Marion county,

An act to appoint commissioners on a State road situated in Gibson and Pike counties; and

An act to establish a State road from Connersville in Fayette county to Raysville on the national road in Henry county;

Were severally read the third time and passed.

Odered, That the clerk inform the Senate thereof and ask their concurrence in the amendments proposed by the House to the first, second, and fifth of the above named bills.

The engrossed joint resolution of the General Assembly from the Senate providing a mode of gradually amending the laws was read the third time, and

On the question—"Shall the joint resolution pass?"

The ayes and noes being requested by Messrs. Lane and Flake,

Those who voted in the affirmative are,

Messrs. Alley, Bell, Bonner, Brady, Cotton, Cravens, Crume, Crumpton, Culley, Decker, Durham, Finch, Griggs, Grover, Hanna, Harrod, Hoover, Huntington, Morris, Murray, Noble, Parks, Peyton, Polke, Slaughter, Smiley, Steele, Stevenson, Thornton, Vawter, Wilson and Moore, Speaker—32.

And those who voted in the negative are,

Messrs. Aker, Angle, Baber, Bryant, Casey, Clark, Cox, Davis, Ferguson, Flake, Gardner, Hargrove, Heaton, Henderson, Henley, Hite, Jones, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Meyer, Paddacks, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Stanford, Tebbs, Wallace, Willet Williams, and Wooden—38.

And so said joint resolution was rejected.

Engrossed bills of the House, to wit:

The bill to amend an act entitled "an act to appropriate part of the 3 per cent. fund and for other purposes," approved February 10, 1831, so far as the same respects the county of Green,

The bill to relocate a part of the state road leading from Green castle to Russellville,

The bill granting relief to the contractors on the Michigan road, and

The bill for the benefit of Lawson Brent and William Anderson; Were severally read the third time and passed.

On motion of Mr. Slaughter,

The title of the last named bill was amended by adding the words "and others."

Ordered, That said engrossed bills be entitled 'acts,' and that the Clerk carry them to the Senate and ask their concurrence.

The engrossed joint resolution, for the benefit of William Polke and others, was read the third time;

On the question—"Shall the joint resolution pass?"

The ayes and noes being requested by Messrs. Hargrove and Crumpton,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Brady, Bryant, Casey, Ciark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Mastin, Maxwell, Morris, Murray, Noble, Peyton, Polke, Proffit, Reid, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Wallace, Willet, Williams, Wilson, Wooden and Moore, Speaker—65.

And those who voted in the negative are,

Messrs. Hargrove, Heaton, Lynd, Moyer, Paddacks and Parks—6.

And so said joint resolution passed.

Ordered, That the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to amend and restrict the charter granted to the Madison insurance company;

Was read the third time—and

On the question—"Shall the bill pass?"

The ayes and noes being requested by Messrs. Willet and Cravens,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Davis, Durham, Finch, Flake, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Hoover, Huntington, Jones, Livingston, Lynd, Maxwell,

Morris, Moyer, Murray, Parks, Peyton, Polke, Proffit, Reid, Robinson, Rose, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbbs, Thornton, Vawter, Wallace, Williams and Moore, Speaker—52.

And those who voted in the negative are.

Messrs. Aker, Bell, Cox, Crume, Decker, Frame, Henley, Hite, Lane, Logan, Mastin, Noble, Paddacks, Ruddick, Willet Wilson and Wooden—17.

And so said bill passed.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment, and

Resolved itself into a committee of the whole on the bill to incorporate the New Albany insurance company;

And after some time spent therein the Speaker resumed the chair; and Mr. Slaughter reported the same with sundry amendments;

Which were read and concurred in by the House generally.

Mr. Thornton moved further to amend the bill by adding the following proviso to the third section thereof, to wit:

"Provided however that in all cases where loans may be secured by mortgage on real estate, and such company should find it necessary to resort to a fore-closure of such mortgage, in order to enforce the payment of the sum so mortgaged; that such company and every person on their behalf shall be precluded from purchasing or bidding for any such real estate, whereby the title in fee-simple thereto shall become vested in such company."

And before the question was taken thereon,

Mr. Thornton withdrew said amendment.

On motion of Mr. Cravens,

The bill was further amended by adding the following proviso to the first section, to wit:

"Provided that said company shall not own or hold, at any time, by legal title, a greater amount of real estate than shall be of the value of two hundred thousand dollars."

Mr. Cravens moved further to amend the bill by striking out so much of the 3d section as authorizes the corporation to deal in exchange and the discount of promisory notes—and

And the ayes and noes being requested thereon by Messrs. Cravens and Bryant,

Those who voted in the affirmative are,

Messrs. Brady, Bryant, Cox, Cravens, Crume, Hargrove, Harrod, Henley, Hite, Jones, Livingston, Logan, Maxwell, Nelson, Noble, Proffit, Reid, Reynolds, Robinson, Rose, Stanford, Stevenson, Tebbs, and Vawter—24.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Baber, Bell, Bonner, Casey, Clawson, Conner, Cotton, Crumpton, Culley, Davis, Decker, Durham, Finch, Flake, Frame, Griggs, Grover, Hanna, Heaton, Henderson, Hoover, Huntington, Lane, Lynd, Mastin, Morris, Moyer, Murray, Paddacks, Parks, Peyton, Polke, Ruddick, Secrest, Slaughter, Smiley, Steele, Thornton, Wallace, Willet, Williams, Wilson, Wooden and Moore, Speaker—47.

And so said motion was decided in the negative.

It was then,

Ordered, That said bill be enurossed and read a third time tomorrow.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has adopted the following resolutions, to wit:

Resolved, That the Senate will form itself into a court of impeachment, on Monday, the 25th instant, at 10 o'clock, A. M. on said day, to try certain articles of impeachmeet, preferred by the House of Representatives against Alfred J. Athon, a justice of the peace in and for the county of Lawrence.

Resolved, That the president of the Senate be authorized to issue all necessary process, directed to the sergeant at arms to notify said Athon, and also to compel the attendance of witnesses, as well for the State as for the defendant.

Resolved, That the House of Representatives be informed of the adoption of the foregoing resolutions.

The Senate has passed engrossed bills, of the ouse of Representatives, entitled "acts," as follows, to wit:

"An act to incorporate the town of Washington in Daviess county,

"An act to provide for the location of a certain state road therein named,

"An act to repeal an act, entitled "an act, to repeal an act therein named," approved January 29, 1831, and for other purposes,

The first and second of said bills without, and the last above named with an amendmnat:

In which the concurrence of the House of Representatives is requested.

The amendment proposed by the Senate to the last above named bill of the House, was read and agreed to.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Hanna,

The committee of the whole House to which was committed the bill to establish a state road from Fort Wayne in Allen county, to South Bend in St. Joseph county, by way of Goshen in Elkhart county, were discharged from the further consideration thereof.

On motion of Mr. Hanna,

The blank in the first section was filled with the name of 'Samuel Martin,' (one of the commissioners.)

Mr. Lane moved to strike out the 5th section of said bill, which section appropriates fifty dollars from three per cent. fund toward surveying and locating said road; and

The ayes and noes being requested thereon by Messrs. Lane and Maxwell,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Brady, Bryant, Casey, Cravens, Crumpton, Davis, Decker, Durham, Ferguson, Finch, Frame, Griggs, Hargrove, Henderson, Hite, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Moyer, Murray, Paddacks, Parks, Peyton, Polke, Reid, Reynolds, Robinson, Ruddick, Slaughter, Smiley, Steele, Tebbs, Thornton, Vawter, Wallace and Wooden—41.

And those who voted in the negative are,

Messrs. Aker, Alley, Angle, Bell, Clawson, Cotton, Cox, Crume, Culley, Flake, Grover, Hanna, Harrod, Heaton, Henley, Hoover, Huntington, Mastin, Morris, Nelson, Noble, Proffit, Rose, Secrest, Stanford, Stevenson, Willet, Williams, Wilson and Moore, Speaker—30.

And so said 5th section was stricken out.

It was then,

Ordered, That said bill be engrossed and read a third time to-morrow.

And then the House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, JANUARY 25, 1832.

The House met pursuant to adjournment.

Mr. Hoover from the joint committee on enrolled bills reported, that they did on yesterday present to the Governor for his approval and signature the following acts and joint resolutions, to wit:

An act to establish a State road from the county seat of Grant to the county seat of Elkhart.

An act to incorporate the Green county Seminary.

An act to alter and relocate a part of the Vernon and Fort Wayne State road, and part of the Shelbyville State road, in Rush county.

An act to amend the 24th section of "an act to appropriate a part of the three per cent. fund and for other purposes," approved February 10th, 1831.

An act for the relief of Francis McClelland of Marion county.

An act to provide for the relocation of a part of the Fort Wayne and Winchester State roads.

An act to amend an act entitled "an act to establish certain State roads therein named and for other purposes," approved February 10, 1831.

An act to authorize and require the trustee of the public seminary in the county of Pike to collect and loan Seminary funds to said county, and for other purposes.

An act to change a part of the State road from Indianapolis via Danville and Rockville to Montezuma.

An act to dissolve the corporation of the town of Crawfordsville, and for other purposes.

An act providing for a relocation of a part of the Fort Wayne State road.

An act to provide for the location of a certain State road therein named.

An act to revive an act entitled an act for the relief of the subscribers to the building of the State Prison and for other purposes, approved January 10, 1831; and

A joint resolution on the subject of the printing of the laws of the present session of the General Assembly.

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with engrossed bills and joint resolutions, entitled as follows:

An act to amend the act entitled "an act to provide for the location of certain State roads therein named," approved February 10th, 1831.

An act to locate a State road from Jefferson in Clinton county to Attica and from thence to Farmer's ford and from thence to intersect the Williamsport State road in the direction to Chicago.

An act to incorporate the Decatur county Seminary.

An act authorizing a distribution of the money now due to road number eight and for other purposes.

An act for the relocation of a part of the Williamsport State road.

An act to incorporate the town of Terrehaute.

An act supplemental to an act prescribing the mode of changing the venue, approved January 28th, 1831.

An act to authorize and legalize certain proceedings of the board of commissioners of Union county.

An act to locate a State road from Clinton in Vermillion county by Patton's mills, to the national road in Vigo county.

An act declaratory of divers parts of the acts, joint resolutions and memorials passed at the last session of the General Assembly.

An act for the relocation of the county seat of Boon county.

An act to authorize the incorporation of lyceums.

An act to amend the act to authorize the loaning of the Seminary funds, approved January 24th, 1828.

A joint resolution relative to the officers and soldiers and the militia who bore arms in the revolution and who are not entitled to pensions under any existing law.

A joint resolution relative to a more perfect organization of the militia of the several states.

A joint resolution of the General Assembly authorizing the Secretary of State to purchase certain books for the use of the State library.

A joint resolution of the General Assembly adopting the plan of a State House and for other purposes.

A joint resolution relative to the public lands;

And find the same truly enrolled.

When

The Speaker signed said bills and joint resolutions.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Thornton asked and obtained leave, on behalf of himself and the other managers of the prosecution against Alfred J. Athon, to withdraw from the Hall, during the deliberations of the House, for the purpose of attending to that duty.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills from the House of Representatives, entitled as follows, to wit:

An act to legalize the election of trustees for the Presbyterian congregation in the town of Evansville, without amendment.

An act to amend the act entitled an act incorporating Congressional townships and providing for public schools therein, approved February 10, 1831; with amendments.

The Senate has also passed an engrossed bill of the Senate entitled "an act to authorize John Elliott and Isam Puckett to convey certain property therein named;

In which bill of the Senate, and the amendments proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The Senate concur in all the amendments proposed by the House of Representatives, to the engrossed bills of the Senate entitled as follows, to wit:

An act to locate and open a part of a State road, leading from the town of Madison, through Vevay, to Lawrenceburgh in Dearborn county.

An act to locate a State road from the town of Lewisville, in the county of Henry, to New Castle the county seat of said county.

An act to establish a State road from Connersville in Fayette county to Raysville on the National road in Henry county.

The first amendment of the Senate to the last above named bill of the House, which provides that the township trustees and sub trustees and clerks of school districts shall be exempt from militia duty was read; when

Mr. Angle moved to amend the same by restricting such exemption to time of peace;

Which motion was decided in the negative.

And on the question to agree to said amendment of the Senate,

It was decided in the negative.

The second amendment of the Senate was then read, which is by adding to the bill as an additional and fourth section, the following:

"Sec. 4. That all persons subject to militia duty, (commissioned officers excepted) shall henceforth be exempted from the payment of fines now imposed by law for a failure to muster (except in case of war, invasion or insurrection) who shall pay one dollar annually to the school commissioner of the county for the use and benefit of the common school fund of his proper township, and the receipt of the commissioner shall be a valid offset in all cases as aforesaid."

Mr. Hanna moved to amend said amendment, by striking out the words "school commissioner," and inserting in lieu thereof the words "county Seminary;"

Which motion was decided in the negative.

Mr. Robinson moved to amend said amendment, by inserting after the words "one dollar," these words, "and fifty cents."

Pending the question thereon, a motion was made by Mr. Grover to lay the bill and proposed amendments on the table;

Which was decided in the negative.

The question was then put on the amendment proposed by Mr. Robinson,

And decided in the negative.

Mr. Wooden moved to amend the said proposed amendment of the Senate, by striking out the words "one dollar," and inserting the words "five dollars;"

Which motion was decided in the negative.

Mr. Maxwell moved to amend the said amendment of the Senate by adding thereto the following:

"Provided said sum be paid into the hands of said school commissioner on or before the first company muster annually;"

Which motion was decided in the negative.

The question then recurring,

Will the House agree to the said second amendment of the Senate?—and

The ayes and nocs being requested thereon by Messrs. Morris and Wooden,

Those who voted in the affirmative are,

Messrs. Aker, Alley, Angle, Bonner, Brady, Clark, Clawson, Conner, Cravens, Crumpton, Culley, Davis, Decker, Griggs, Grover, Harrod, Heaton, Henderson, Hoover, Jones, Morris, Murray, Rose, Rudderick, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter and Willet—31.

And those who voted in the negative are,

Messrs. Baber, Casey, Cotton, Cox, Crume, Durham, Flake, Gardner, Hanna, Hargrove, Henley, Hite, Lane, Livingston, Logan, Lynd, Mastin, Maxwell, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Polke, Profit, Reid, Reynolds, Robinson, Secrest, Tebbs, Wallace, Williams, Wilson, Wooden and Moore, Speaker—36.

And so the House disagreed to said second amendment.

The 3d, 4th, 5th, 6th, 7th, 8th and 9th amendments, proposed by the Senate to said bill were severally read and agreed to.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill of the Senate, named in said message, was read the first time and passed to a second reading.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the bill appropriating certain sums of the three per cent. fund for certain purposes therein named, depending yesterday at the expiration of the time for considering bills on the second reading.

On motion of Mr. Wallace,

The same was amended by inserting the following as an additional section, to be entitled the second section, to wit:

“Sec. 2. And be it further enacted, That the money appropriated by the provisions of this act, shall be paid out of the money remaining in the hands of the agent of the three per cent. fund, heretofore appropriated on the road leading from the High Banks of White river to Indianapolis, it being part of the one hundred thousand dollars appropriated by an act of the legislature of this State, at a former session.”

It was then ordered that said bill be engrossed and read a third time to-morrow.

The bill to incorporate the Brownstown manufacturing company was read the second time and ordered to be engrossed and read the third time to-morrow.

Engrossed bills from the Senate, to wit:

An act to provide for the location of a State road from the west bank of the Wabash river, opposite the public square in the town of Montezuma, to the State line in the direction of Judge Lowry's farm; and

An act to establish a State road from Montezuma to Crawfordsville,
Were severally read the second time and ordered to be read a third time to-morrow.

And then the House adjourned until two o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

The Speaker laid before the House a memorial of Homer Johnson a superintendant of the Cumberland road praying an act to authorize contractors on said road to take and use materials the propriety of individuals in its construction being liable for damages to be assessed as the Legislature may direct;

Which was read, and

On motion of Mr. Huntington,
Laid on the table.

On motion of Mr. Steele,

The committee of the whole House to which was committed the bill to amend an act entitled "an act regulating the interest of money in the State of Indiana" approved February 1, 1831, were discharged from the further consideration thereof;

Mr. Thornton moved that the further consideration of said bill be indefinitely postponed;

And the ayes and noes being requested thereon by Messrs, Hite and Steele,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bryant, Casey, Conner, Cotton, Culley, Davis, Flake, Gardner, Griggs, Hanna, Hargrove, Hite, Huntington, Lane, Livingston, Lynd, Mastin, Morris, Moyer, Noble, Parks, Polke, Proffit, Reid, Reynolds, Ruddick, Secrest, Tebbs, Thornton, Vawter, and Moore, Speaker—33.

And those who voted in the negative are,

Messrs. Aker, Baber, Bell, Bonner, Brady, Clark, Clawson, Cox, Cravens, Crume, Crumpton, Decker, Durham, Ferguson, Finch, Frame, Grover, Harrod, Heaton, Henderson, Henley, Hoover, Jones, Logan, Maxwell, Nelson, Paddacks, Peyton, Robinson, Rose, Slaughter, Smiley, Stanford, Steele, Stevenson, Wallace, Willet Williams, Wilson, and Wooden—49.

And so said motion was decided in the negative.

Mr. Stevenson moved to amend the bill by adding at the end thereof the following:

"Nothing in this act shall be so construed as to prevent the school, seminary and canal funds from being loaned at a greater per cent. than six per cent. per annum;"

Which motion was decided in the negative.

Mr. Parks moved to strike out the word "six," wherever it occurs and insert "twelve," being the highest rate of interest allowed.

Mr. Willet called for a division of the question.

The first branch of said question was then put, to wit:

Shall the word "six" be stricken out of the bill? and

The ayes and noes being requested by Messrs. Bryant and Parks,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bryant, Casey, Cotton, Crumpton, Culley, Davis, Flake, Frame, Gardner, Griggs, Hanna, Hargrove, Hite, Lane, Livingston, Lynd, Morris, Moyer, Noble, Parks, Polke, Reid, Reynolds, Ruddick, Secrest, Slaughter, Tebbs, Thornton and Moore Speaker—31.

And those who voted in the negative are,

Messrs. Aker, Baber, Bell, Bonner, Brady, Clark, Clawson, Conner, Cox, Cravens, Crume, Decker, Durham, Ferguson, Finch, Grover, Harrod, Heaton, Henderson, Henley, Hoover, Huntington, Jones, Logan, Mastin, Maxwell, Murray, Nelson, Paddacks, Peyton, Proffit, Robinson, Rose, Smiley, Stanford, Steele, Stevenson, Vawter, Wallace, Williams, Wilson and Wooden—42.

And so said motion was decided in the negative.

Mr. Ferguson then moved that the said bill be considered as engrossed, and read the third time now—and

The ayes and noes being requested thereon by Messrs. Cravens and Huntington,

Those who voted in the affirmative are,

Messrs. Aker, Bell, Bonner, Brady, Clark, Clawson, Cox, Cravens, Crume, Decker, Durham, Ferguson, Finch, Griggs, Grover, Harrod, Heaton, Henderson, Henley, Hoover, Jones, Logan, Maxwell, Nelson, Paddacks, Peyton, Proffit, Robinson, Rose, Slaughter, Smiley, Stanford, Steele, Williams, Wilson, and Wooden—36.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bryant, Casey, Conner, Cotton, Crumpton, Culley, Davis, Flake, Frame, Gardner, Hanna, Hargrove, Hite, Huntington, Lane, Livingston, Lynd, Mastin, Morris, Moyer,

Murray, Noble, Parks, Polke, Reid, Reynolds, Ruddick, Se-crest, Tebbbs, Thornton, Vawter, Wallace, Willet and Moore, Speaker—37.

And so said bill was rejected.

A message was received from the Governor by Mr. Griffith his private secretary, notifying that he did on yesterday approve and sign the following bills entitled acts:

An act respecting the Knox county poor house,

An act to authorize the citizens of congressional township No. 20, north of range 10 west in the county of Warren to dispose of the school section therein,

An act declaring Hogan creek in Dearborn county a public highway,

An act for the location of a State road from Woods ferry on the east branch of White river in Lawrence county, to Bloomfield in Green county,

An act to authorize the board of commissioners of Floyd county, to contract for the keeping and taking care of the paupers of said county, and for other purposes,

An act to refund the revenue of Grant county.

An act to legalize the election of county commissioners in the several counties in this State, held on the first Monday of August, 1831,

An act to repeal an act, entitled an act, to authorize the board of justices of Bartholomew county to levy an additional tax, approved January 10, 1829,

An act to incorporate the Danville school society,

An act to provide for relocating a part of the Mauks ferry State road, also to provide for the sale of materials of the Muscatatuck bridge and for other purposes,

An act to amend an act entitled "an act to establish certain state roads therein named, and for other purposes," approved February 10, 1831,

An act to authorize and require the trustees of the public Seminary in the county of Pike to collect and loan Seminary fund to said county and for other purposes,

An act providing for a relocation of a part of the Fort Wayne State road,

An act to establish a state road from the county seat of Grant, to the county seat of Elkhart,

An act to change a part of the State road from Indianapolis via Danville, Rockville to Montezuma.

An act to revive an act entitled "an act for the relief of the subscribers to the building of the State Prison and for other purposes, approved February 10, 1831,

An act to provide for the location of a certain state road therein named,

An act to dissolve the corporation of the town of Crawfordsville and for other purposes.

An act to amend the 24th section of an act entitled "an act to appropriate a part of the 3 per cent. fund and for other purposes," approved February 10, 1831,

An act for the relief of Francis McClelland of Marion county.

An act to provide for the relocation of a part of the Fort Wayne and Winchester State roads.

An act to alter and relocate part of the Vernon and Fort Wayne state road, and part of the Shelbyville state road in Rush county.

An act to incorporate the Green county seminary, and

A joint resolution on the subject of the printing of the laws of the present session of the General Assembly,

All of which originated in the House of Representatives.

On motion of Mr. Steele,

The committee of the whole House to which were recommitted the engrossed bill supplemental to an act passed January 24, 1831, for the location of a state road from Richmond to Fort Wayne;

And the engrossed bill of the Senate supplemental to the same act, were discharged from the further consideration thereof.

On motion of Mr. Steele,

The said last named bill was amended by adding the following as an additional section, viz:

"Sec.———If either of the aforesaid commissioners should die, or in any way refuse to act, the board doing county business where such vacancy may take place, shall appoint a successor, who shall have full power to act as commissioner under the provisions of this law.

On motion of Mr. Hanna,

The said bill was further amended by striking out the name of "John P. Hedges," (one of the commissioners,) and inserting in lieu thereof the name of "Lewis H. Davis."

The said amendments were then ordered to be engrossed, and the bill read a third time to-morrow.

On motion of Mr. Hoover,

The bill of the House last named was indefinitely postponed.

On motion of Mr. Conner,

The committee of the whole to which was committed the memorial to Congress, for the appropriation of public lands, to make a railroad, or other artificial road from Indianapolis to Fort Wayne, was discharged from the further consideration thereof.

On motion of Mr. Hanna,

The said memorial was considered as engrossed and read the third time; and

On the question,—‘Shall the memorial pass?’

It was carried in the affirmative.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence.

Mr. Morris from the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills entitled as follows:

An act to locate and open part of a state road leading from the town of Madison through Vevay to Lawrenceburgh,

An act to locate a state road from the town of Lewisville in the county of Henry, to New Castle the county seat of said county,

An act to appoint commissioners on a state road situated in Pike and Gibson counties,

An act to establish a state road from Connersville in Fayette county, to Raysville on the National-road in Henry county,

An act to authorize the agent of State for the town of Indianapolis to lease a certain square to the board of trustees of the county seminary of Marion county,

And find the same truly enrolled.

When,

The Speaker signed said bills.

Ordered, That the Clerk carry them to the Senate, for the signature of their President.

On motion of Mr. Logan,

The committee of the whole House to which was committed the engrossed bill from the Senate to amend the act entitled “an act to encourage the killing of wolves,” approved February 10, 1831, were discharged from the further consideration thereof.

On motion of Mr. Davis,

The said bill was then read third time, and

The question being put,

‘Shall the bill pass?’

It was carried in the affirmative.

Ordered, That the clerk inform the Senate thereof.

Mr. Baber moved to reconsider the vote taken this day on the question that the bill to amend an act entitled ‘an act regulating the interest of money in the state of Indiana.’ approved Feb. 1, 1831, be considered as engrossed and read the third time now: and

The ayes and noes being requested on said motion to reconsider, by Messrs. Gardner and Cravens,

Those who voted in the affirmative are,

Messrs. Aker, Baber, Bell, Bonner, Brady, Clark, Clawson, Cox, Cravens, Crume, Decker, Durham, Ferguson, Finch, Grover, Har-

rod, Heaton, Henderson, Henley, Hoover, Jones, Logan, Maxwell, Murray, Nelson, Paddacks, Peyton, Robinson, Rose, Slaughter, Smiley, Stanford, Steele, Vawter, Williams, Wilson, and Wooden—37.

And those who voted in the negative are,

Messrs. Alley, Angle, Bryant, Casey, Conner, Cotton, Crumpton, Culley, Davis, Flake, Frame, Gardner, Griggs, Hanna, Hargrove, Hite, Huntington, Lane, Livingston, Lynd, Mastin, Morris, Moyer, Noble, Parks, Polke, Proffit, Reid, Reynolds, Ruddick, Secrest, Stevenson, Tebbs, Thornton, Wallace, Willet and Moore, Speaker—37.

And so said motion was decided in the negative.

And then the House adjourned until to-morrow morning nine o'clock.

THURSDAY MORNING, JANUARY 26, 1832.

The House met pursuant to adjournment.

Mr. Ferguson moved that Mr. Aker have leave of absence from the service of this House from this day for and during the remainder of the session, and

The ayes and noes being requested thereon by Messrs. Cravens and Steele,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Conner, Cotton, Cox, Crume, Culley, Davis, Decker, Durham, Ferguson, Frame, Gardner, Hanna, Hargrove, Harrod, Henderson, Henley, Hoover, Huntington, Jones, Lane, Logan, Mastin, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Ruddick, Secrest, Slaughter, Smiley, Stanford, Stevenson, Thornton, Wilson and Moore, Speaker—15.

And those who voted in the negative are,

Messrs. Angle, Clawson, Cravens, Crumpton, Flake, Griggs, Heaton, Hite, Livingston, Lynd, Maxwell, Morris, Moyer, Nelson, Robinson, Rose, Steele, Tebbs, Vawter, Wallace, Willet, Williams and Wooden—23.

And so it was ordered that Mr. Aker have leave of absence during the remainder of the session.

Mr. Hoover from the joint committee on enrolled bills reported that they did on this day present to the Governor for his approval and signature the following bills entitled acts, to wit:

An act to ratify and confirm an act of the Legislature of Kentucky.

incorporating a company to build a bridge across the Ohio river at the falls,

An act for the relief of John Boner of Jennings county,

An act to locate a State road from Spencer in Owen county by way of Bowlinggreen in Clay county to Terre-Haute in Vigo county,

An act amendatory of "an act to provide for the location of a certain State road therein named, approved February 10, 1831,"

An act to establish a State road from Knightstown in Henry county by way of Pendleton in Madison county to Strawtown in Hamilton county,

An act to incorporate the Fredericksburgh bridge company, and

An act to provide for the Election of Electors of President and Vice President of the United States,

The hour having arrived for passing to the orders of the day,

On motion of Mr. Moyer,

The several orders of the day were postponed for the period of ten minutes.

Mr. Moyer presented a memorial of John Milroy superintendant of the eastern division of the Cumberland road, Indiana praying an act in favor of contractors thereon to restrain travelling on said road, while it is constructing;

Which was read and referred to the committee on roads.

Mr. Crume presented five petitions of citizens of Fayette county severally praying an act to require the board of commissioners of Fayette county to appropriate twelve hundred dollars out of the treasury of said county to aid the citizens to build a bridge across the west fork of White water river opposite the town of Connorsville;

Which were read and referred to a select committee of Messrs. Crume, Williams, Murray, Rose and Grover.

On motion of Mr. Steele,

Leave was given him to withdraw the petition of George Henarix and a document accompanying the same.

The House then proceeded to consider the orders of the day.

Engrossed bills from the Senate, to wit:

An act for the relief of Jacob Whiting, and

An act to authorize John Elliott and Isom Puckett to convey certain property therein named;

Were severally read the second time and ordered to be read a third time to-morrow.

The bill for the benefit of contractors on the Cumberland road,

Was read the second time:

Mr. Cravens moved that the further consideration thereof be indefinitely postponed.

Pending the question thereon,

A motion was made by Mr. Stanford to lay the bill on the table,
Which was decided in the negative.

The question recurring on the postponement of the bill, and
The ayes and noes being requested by Messrs. Noble and Cravens,

Those who voted in the affirmative are,

Messrs. Bryant, Clawson, Cravens, Hite, Jones, Maxwell, Moyer,
Murray, Nelson, Noble, Secrest, Steele, and Vawter—13.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Brady, Casey, Clark,
Conner, Cotton, Cox, Crume, Crumpton, Culley, Davis, Decker,
Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Han-
na, Hargrove, Harrod, Heaton, Henderson, Henley, Hoover, Hun-
tington, Lane, Livingston, Logan, Lynd, Mastin, Morris, Paddacks,
Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick,
Slaughter, Smiley, Stanford, Stevenson, Tebbs, Wallace, Willet, Wil-
liams, Wilson, Wooden and Moore, Speaker—57.

And so said motion was decided in the negative.

On motion of Mr. Huntington,

The said bill was committed to a select committee.

Ordered, That Messrs. Huntington, Clawson and Proffit be that
committee.

The bill for the relief of John Ferguson; and

The bill to incorporate the Harrison and White water bridge com-
pany;

Were severally read the second time and ordered to be engrossed
and read a third time to-morrow.

The bill to amend an act entitled an act to appropriate a part of
the three per cent. fund, approved February 10, 1831,

Was read the second time, and

On motion of Mr. Mastin,

Committed to a select committee of Messrs. Mastin, Cox and Har-
rod.

The engrossed bill establishing the bounds of a new county;

Was read the third time.

On motion of Mr. Crumpton,

The name of "Benjamin Cushman" one of the commissioners, was
stricken out and that of "Robert Milford" of Fountain county inserted
by unanimous consent of the House;

And on the question—"Shall the bill pass?"

The ayes and noes being requested by Messrs. Willet and Proffit.

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bell, Bonner, Bryant, Clark, Clawson, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Polke, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Thornton, Vawter, Williams, Wilson, Wooden and Moore, Speaker—61.

And those who voted in the negative are,

Messrs. Baber, Brady, Casey, Hargrove, Henley, Proffit, Wallace, and Willet—8.

And so said bill passed.

On motion of Mr. Wilson,

The title thereof was amended so as to read "An engrossed bill establishing the counties of Huntington, Wabash and Miami."

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

Engrossed bills and a joint resolution of the House, to wit:

A bill to provide for the location of a State road therein named,

A joint resolution for the relief of R. C. Talbott and John Alling,

A bill to establish a State road from Fort Wayne in Allen county to South Bend in St. Joseph county by way of Goshen in Elkhart county,

A bill appropriating certain sums of the three per cent. fund for certain purposes therein named, and

A bill to incorporate the Brownstown manufacturing company;

Were severally read the third time and passed.

Ordered, That said bills be entitled 'acts,' and that the Clerk carry them together with said joint resolution to the Senate and ask their concurrence therein.

The engrossed bill to incorporate the New-Albany insurance company;

Was read the third time—and

On the question,—Shall the bill pass?

The ayes and noes being requested by Messrs. Willet and Crumpton

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bell, Bonner, Brady, Bryant, Casey, Clark, Clawson, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Hunting-

ton, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Puddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Steele, Stevenson, Tebbs, Thornton, Vawter Wallace, Williams, Wilson, Wooden and Moore, Speaker—63.

And those who voted in the negative are,

Messrs. Decker, Nelson, Stanford, and Willet—4.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Engrossed bills from the Senate entitled as follows. to wit:

An act to provide for the location of a State road from the west bank of the Wabash river opposite the public square in the town of Montezuma, to the State line in the direction of Judge Lowry's farm.

An act to establish a State road from Montezuma to Crawfordsville, and

An act supplemental to "an act to establish a State road from Richmond in Wayne county to Fort Wayne;"

Were severally read the third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence in the amendments proposed by the House to the last named bill.

Mr. Casey from the committee on military affairs to which was referred the report of the Quarter Master General, reported a bill in addition to the act entitled "an act to organize and regulate the militia of the State of Indiana" approved February 10, 1831;

Which was read the first time and passed to a second reading.

Mr. Bell made the following report:

The select committee to which was referred the petition of James Kelsy and others, praying for assistance to erect a bridge across big Raccoon creek at Dickson's mills in Parke county, have according to order had that subject under consideration and directed me to report, that in the opinion of the committee the prayer of the petitioners is reasonable and ought to be granted, but the appropriations of the three per cent. fund being already so far in advance of the fund on hand, and the present session being so near exhausted they think it inexpedient to report a bill for the relief of the petitioners at this time and ask to be discharged from the further consideration of the subject;

Which was read and concurred in and the committee accordingly discharged.

Mr. Lane moved to take up the resolution offered by Mr. Morris

and heretofore laid on the table, relative to an adjournment *sine die* on the 28th instant;

Which motion was decided in the negative.

Mr. Finch, after having obtained leave, presented a joint resolution of the General Assembly concerning the public lands;

Which was read the first time and passed to a second reading.

Mr. Slaughter, after having obtained leave, presented a bill repealing the 10th section of an act relating to county seminaries, approved February 4, 1831 and for other purposes;

Which was read the first time and passed to a second reading.

On motion of Mr. Davis,

The engrossed bill from the Senate providing for the relocation of a part of the state road leading from Terre-Haute, via Carlisle, to Mount Pleasant, heretofore laid on the table, was taken up,

On motion of Mr. Davis,

The blank in said bill relating to one of the commissioners, was filled with the name of 'James Brooks.'

On motion of Mr. Huntington,

The bill was further amended by striking out the name of 'Owen Sparks,' (one of the commissioners,) and inserting 'Robert Bratton.'

On motion of Mr. Crume,

The amendments were considered as engrossed and the bill was read the third time;

And the question being put,

'Shall said bill pass?

It was carried in the affirmative.

Odered, That the clerk inform the Senate thereof and ask their concurrence in the amendments.

And then the House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills from the House of Representatives entitled 'acts,' as follows, to wit:

An act for the relief of Curtis Smith,

An act legalizing the proceedings of the board of commissioners of St. Joseph county,

An act to amend an act entitled "an act to locate a state road from New Castie, in Henry county, to Milton in Wayne county, (without amendment.)"

An act regulating the sale of canal lands and for other purposes, and

An act to amend the act entitled "an act respecting salines and saline reserves," approved February 10, 1831, with amendments to each.

The Senate has also passed engrossed bills and joint resolutions of the Senate, entitled as follows, to wit:

An act to authorize a special session of the board of commissioners of Bartholomew county for the purpose of selecting grand and petit jurors, for the March term of said circuit court, 1832,

An act for the relief of Thomas Craner,

A joint resolution of the General Assembly of the State of Indiana to authorize and require the fund set apart for the improvement of the Wabash river, to be loaned to the canal fund, and

A joint resolution to ascertain the terms upon which means may be procured to secure to Indiana her share of the revenue to accrue from the erection of a bridge over the Ohio river at the Falls,

In which bills and joint resolutions of the Senate and the amendments proposed to the engrossed bills of the House, the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the bills of the House fourthly and fifthly named in said message, were read and agreed to.

The engrossed bills of the Senate named in said message were severally three times read (the rules of the House having first been dispensed with,) and passed.

Ordered, That the Clerk inform the Senate thereof.

The joint resolutions of the Senate above named, were severally read the first time and passed to a second reading.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the House of Representatives entitled 'acts,' as follows, to wit:

An act changing the boundary line between the counties of Elkhart and St. Joseph,

An act to legalize the proceedings of David Miller,

An act for the benefit of Lawson Brent, William Anderson and others,

An act granting relief to the contractors on the Michigan road, (without amendment.)

An act to locate a state road from Terre-Haute, by way of Rockville to Crawfordsville, (with an amendment.)

The Senate insist on the first and second amendments proposed to the engrossed bill of the House entitled "an act to amend the act entitled 'an act incorporating congressional townships and providing for public schools therein,' approved February 10, 1831.

The Senate has also passed an engrossed bill of the Senate entitled 'an act to provide for the erection of a State House,;

In which bill of the Senate and the amendment proposed to the bill of the House, the concurrence of the House of Representatives is requested.

The amendment proposed by the Senate to the bill of the House fourthly above named, was read and agreed to.

On motion of Mr. Hoover,

The House receded from their disagreement to the first amendment of the Senate to the engrossed bill of the House last named in said message.

Mr. Lane moved that the House insist on their disagreement to the second amendment proposed by the Senate to said bill, which amendment provides that any person subject to militia duty may commute for the same in time of peace, by paying one dollar per annum to the school commissioner, for the use of common schools, in their respective townships—and

The ayes and noes being requested on said motion to insist by Messrs. Robinson and Wooden,

Those who voted in the affirmative are,

Messrs. Baber, Bryant, Casey, Clark, Cox, Crume, Durham, Ferguson, Finch, Flake, Gardner, Hanna, Hargrove, Henley, Hite, Lam, Livingston, Logan, Lynd, Mastin, Maxwell, Moyer, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Secrest, Tebbs, Wallace, Williams, Wilson and Wooden—37.

And those who voted in the negative are,

Messrs. Alley, Angle, Brady, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Davis, Decker, Griggs, Grover, Harrod, Heaton, Henderson, Hoover, Huntington, Jones, Morris, Murray, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Thornton, Vawter, Willet and Moore, Speaker—31.

And so the House insisted on their disagreement to said amendment.

On motion of Mr. Crume,

Ordered, That a committee of Free Conference be appointed on the part of the House, to take into consideration, with a similar com-

mittee to be appointed on the part of the Senate, the disagreeing votes of the two Houses on the subject of said amendment;

Whereupon,

Messrs. Crume and Garduer were appointed of that committee on the part of the House.

Ordered, That the Senate be informed thereof and a similar committee on their part requested.

The engrossed bill of of the Senate named in said message, was read the first time and passed to a second reading.

The House resolved itself into a committee of the whole on the bill to provide for selling the Michigan road lands, to provide for opening that part of the Michigan road lying between Logansport and Lake Michigan, and for other purposes;

And after some time spent therein, the Speaker resumed the chair, and Mr. Logan reported the same with sundry amendments;

Which were read and concurred in by the House generally; and Before any further question was taken on said bill,

The House adjourned until to-morrow morning 9 o'clock.

FRIDAY MORNING, JANUARY 27, 1832

The House met pursuant to adjournment.

The Speaker being absent in consequence of indisposition, Mr. Wilson nominated Mr. Thornton as Speaker *pro tempore*, which nomination being approved by the House,

Mr. Thornton was accordingly chosen Speaker *pro tempore*.

Mr. Hoover from the joint committee on enrolled bills reported, that they did on this day present to the Governor for his approval and signature the following acts and joint resolutions, to wit:

An act to locate a State road from Jefferson in Clinton county to Attica and from thence to Farmer's ford, and from thence to intersect the Williamsport State road in the direction to Chicago.

An act authorizing the distribution of the money now due to road number eight, and for other purposes.

An act for the relocation of a part of the Williamsport State road.

An act to incorporate the town of Terre-Haute.

An act supplemental to an act, prescribing the mode of changing the venue, approved January 28th, 1831.

An act to authorize and legalize certain proceedings of the board of commissioners of Union county.

An act to locate a State road from Clinton in Vermillion county by Patton's mills, to the National road in Vigo county.

An act declaratory of divers parts of the acts, joint resolutions and memorials, passed at the last session of the Genral Assembly.

An act for the relocation of the county seat of Boon county.

An act to authorize the incorporation of lyceums.

An act to amend the act, to authorize the loaning of the Seminary funds, approved January 24, 1828.

An act to establish a State road from Connersville in Fayette county to Raysville on the National road in Henry county.

An act to incorporate the Decatur county Seminary.

An act to authorize the Agent of State for the town of Indianapolis to lease a certain square to the board of trustees of the county Seminary of Marion county.

An act to appoint Commissioners on a state road, situated in Pike and Gibson counties.

An act so locate and open a part of a state road, leading from the Town of Madison, through Vevay to Lawrenceburgh.

An act to locate a state road from the town of Lewisville, in the county of Henry, to Newcastle, the county seat of said county.

An act to amend an act, entitled "an act, to provide for the location of certain state roads therein named;" approved, February 10, 1831.

A joint resolution relative to the officers and soldiers, and the militia who bore arms in the revolution, and who are not entitled to pensions under any existing law.

A joint resolution relative to a more perfect organization of the militia of the several States.

A joint resolution of the General Assembly, authorizing the Secretary of State, to purchase certain books for the use of the State Library.

A joint resolution of the General Assembly, adopting the plan of a State House, and for other purposes, and

A joint resolution relative to the public lands.

Mr. Davis presented a petition of John Miles and others, praying that the authority to select the site of the school house in their district, may be taken from the sub-trustees and given to the citizens,

Which was read and referred to the committee on education.

Mr. Brady presented an account of A. W. Reid, against the state, of \$30, 10, for sundries, and an account of Bazil Brown, against the same, of \$9, for two Maps;

Which were severally read and referred to the committee on claims.

Mr. Livingston presented the accounts of sundry persons, witnesses on part of the State, in the impeachment against Alfred J. Athor; which was read and referred to the committee on claims.

The following message was received yesterday from the Senate, by Mr. Morris, their Assistant Secretary:

Mr. Speaker,

The Senate continue to insist on their amendment to the engrossed bill of the House of Representatives, incorporating Congressional townships, and providing for public schools therein, approved Feb. 10, 1831, and have appointed Messrs. Ewing and Morgan a committee of free conference to unite with a similar committee, appointed on the part of the House of Representatives, in taking into consideration the disagreeing votes of the two Houses in reference to the said amendments.

The Senate has adopted the following resolution:

Resolved, That the committee on public buildings be instructed to prepare and report a bill to the Senate providing for the sale of the land and lots owned by the State in and near the town of Indianapolis, on such terms and conditions as will meet the contemplated expenditure for the erection of a State House.

Resolved, That the House of Representatives be informed of the adoption of this resolution and the adoption of a similar one on their part requested.

Mr. Vawter from the committee of ways and means, to which were referred the annual reports of the Auditor and Treasurer and Auditor, made the following report on the state of the finances;

Which was read, and

Ordered, That one thousand copies be printed for the use of the members of this House.

(See Appendix G.)

Mr. Huntington from the select committee to which was referred the bill for the benefit of contractors on the Cumberland road, reported the same with one amendment;

Which was read and concurred in, and

Before any other question was taken on said bill,

The hour arrived for passing to the orders of the day.

The House resumed the consideration of the bill to provide for selling the Michigad road lands, to provide for opening that part of the Michigan road lying between Logansport and Lake Michigan and for other purposes, depending at the last adjournment.

Mr. Wilson moved further to amend said bill by striking out the 18th section, which reads in the words following to wit:

“SEC. 18. Said commissioner is hereby authorized and required to make contracts for improving the road south of Logansport in bridging and causewaying, and grading the banks so as to make them passable for wagons, at such places as on examination he may deem most necessary and beneficial to the road; under the same rules, regulations and conditions that contracts are entered into north of said town

of Logansport: *Provided*, said contracts do not exceed five thousand dollars."

And by inserting the following:

"SEC. 18. The said commissioner is hereby required, on or before the 1st day of June next, to contract for bridging the streams, grading the banks and causewaying the swamps, on so much of said road as lies between Logansport and the town of Madison on the Ohio river, at such places as on examination he may deem most to the interest of the public: provided that the aggregate of said contracts shall not exceed twenty five thousand dollars: and provided also, that the said commissioner shall have discretionary power to vary the route of the road on banks and hills where the same will be beneficial to the road and lessen the expenses of grading."

A division of the question was called for by Mr. Lane, and

The ayes and noes being requested on the first branch of said question, by Messrs. Logan and Robinson, to wit, on striking out the 18th section.

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bonner, Brady, Clark, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Davis, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Heaton, Hoover, Huntington, Jones, Mastin, Maxwell, Morris, Murray, Nelson, Paddacks, Polke, Proffit, Reynolds, Rose, Secrest, Stanford, Steele, Stevenson, Tebbs, Willett, Wilson and Thornton Speaker, pro temp.—42.

And those who voted in the negative are,

Messrs. Baber, Bell, Bryant, Casey, Cox, Crume, Decker, Durham, Ferguson, Hargrove, Harrod, Henderson, Henley, Hite, Lane, Livingston, Logan, Lynd, Moyer, Noble, Parks, Reid, Ruddick, Slaughter, Smiley, Vawter, Wallace, Williams, and Wooden—29.

And so said 18th section was stricken out,

The other branch of said question being then put, viz:

On inserting the matter proposed, and

The ayes and noes being requested thereon, by Messrs. Lane and Maxwell.

Those who voted in the affirmative are,

Messrs. Alley, Bonner, Brady, Clark, Clawson, Conner, Cotton, Cravens, Crumpton, Culley, Davis, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Heaton, Hoover, Huntington, Jones, Mastin, Maxwell, Morris, Murray, Nelson, Paddacks, Polke, Reynolds, Robinson, Rose, Secrest, Stanford, Steele, Stevenson, Tebbs, Willett and Wilson—39.

And those who voted in the negative are,

Messrs. Angle, Baber, Bell, Bryant, Casey, Cox, Crume, Deck-

er, Durham, Ferguson, Hargrove, Harrod, Henderson, Henley, Hite, Lane, Livingston, Logan, Lynd, Moyer, Noble, Parks, Proffit, Reed, Ruddick, Slaughter, Smiley, Vawter, Wallace, Williams, Wooden and Thornton, Speaker pro tem.—32.

And so the said motion proposed by Mr. Wilson was inserted in lieu of said 18th section.

On motion of Mr. Grover,

The said bill was further amended in the third section thereof, by striking out these words

“The west half of each quarter to be offered for sale, thereby reserving the east half from sale,”

And by inserting in lieu thereof the following:

“Each alternate quarter to be offered for sale in half quarter sections,”

And by striking out the concluding words in said section to wit:

“The north half of each quarter section and reserving from sale the south half of each quarter section of land,” and inserting in lieu thereof, “each alternate quarter to be offered in half quarter sections as aforesaid.”

Mr. Alley moved further to amend the bill by adding the following as an additional section to wit:

“Sec.—And be it further enacted, that where any person or persons who have taken contracts under the provisions of the act, to which this is an amendment, have for convenience or otherwise, straightened the road, if such alteration, however, shall not change the present route more than fifty feet, the same shall be considered to all intents and purposes, as if the same had been completed under the above recited act, and the commissioner is authorized to receive the same.

Mr. Henley moved to amend said proposed amendment, by striking out therefrom the words “fifty feet” and inserting in lieu thereof the words “twenty miles.”

Pending that question,

A motion was made by Mr. Ferguson to recommit said bill to the committee on roads.

Mr. Alley withdrew his said motion to amend.

Mr. Ferguson withdrew the motion to recommit.

On motion of Mr. Cravens,

The bill was further amended by adding the following as an additional section, to wit;

“Sec.—The commissioner is hereby authorized to open an office at Logansport, in the county of Cass, where such lands that were offered and remain unsold at the conclusion of the said last sale mentioned in the 11th section of this act, may be entered at one dollar and twenty five cents per acre, and the number of certificates entered shall be a continuation of the number previously sold and be of great validity as those issued at the public sales.”

On motion of Mr. Hanna.

The 11th section was amended by striking out the word "above" and inserting the word "hereinafter;"

It was then ordered that said bill be engrossed and read a third to-morrow.

A message from the Governor by Mr. Griffith his private secretary:

Mr. Speaker:

The following bills having been presented to the Governor, to wit:

An act for the relief of John Bonner of Jennings county,

An act to locate a State road from Spencer in Owen county, via Bolinggreen in Clay county to Terre-Haute in Vigo county,

An act amendatory of an act to provide for the location of a certain State road therein named, approved February 10, 1831,

An act to establish a State road from Knightstown in Henry county via Pendleton in Madison county to Strawtown in Hamilton county,

An act to incorporate the Frederickshburgh bridge company,

An act to provide for the election of Electors of President and Vice President of the United States.

I am directed to inform the House of Representatives that they have received his approval and signature.

The House resumed the consideration of the bill for the benefit of contractors on the Cumberland road undetermined when the House took up the consideration of the bill to provide for selling the Michigan road lands to provide for opening that part of the Michigan road lying between Logansport and Lake Michigan;

The question being put,

Shall said bill be engrossed and read a third time. and

The ayes and noes being requested thereon by Messrs. Steele and Huntington,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bonner, Clark, Clawson, Conner, Cotton, Cox, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Henderson, Henley, Hoover, Huntington, Lane, Livingston, Lynd, Mastin, Murray, Nelson, Paddacks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Slaughter, Smiley, Tebbs, Vawter, Williams, Wilson and Thornton Speaker pro tem.—47.

And those who voted in the negative are,

Messrs. Baber, Bell, Brady, Bryant, Casey, Cravens, Hite, Jones, Logan, Moyer, Noble, Parks, Secrest, Stanford, Steele, Willet, and Wooden—17.

And so it was ordered that said bill be engrossed and read a third time to-morrow.

On motion of Mr. Livingston,

The House reconsidered the vote taken yesterday on the passage of the engrossed bill to incorporate the Brownstown manufacturing company.

On motion of Mr. Livingston,

The said bill was recommitted to a select committee with instructions to strike out so much thereof authorizes said company to issue bills of credit.

Ordered, That Messrs. Livingston, Durham and Steele be that committee.

The engrossed bill from the Senat for the relief of Jacob Whittinger, was read the third time; and

On the question,

Shall the bill pass?

And the ayes and noes being requested by Messrs, Vawter and Noble,

Those who voted in the affirmative are,

Messrs. Alley, Bell, Brady, Clark, Conner, Cotton, Cox, Cravens, Crume, Culley, Flake, Frame, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Lane, Livingston, Mastin, Morris, Paddacks, Polke, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Tebbs, Wallace, Willet Williams, Wilson and Thornton, Speaker pro tem.—29.

And those who voted in the negative are,

Messrs. Angle, Baber, Bonner, Bryant, Clawson, Crumpton, Davis, Decker, Finch, Gardner, Hite, Hoover, Jones, Logan, Lynd, Maxwell, Moyer, Murray, Noble, Parks, Proffit, Reid, Vawter and Wood-
en—24.

And so said bill passed.

Ordered, That the clerk inform the Senate thereof.

Engrossed bills of the House to wit:

The bill for the relief of John Ferguson, and

The bill to incorporate the Harrison and White water bridge company,

Were severally read the third time and passed.

Ordered, That they be entitled an 'acts' and that the Clerk carry them to the Senate and ask their concurrence.

The engrossed bill from the Senate to authorize John Elliott and Isam Puckett to convey certain property therein named,

Was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The bill in addition to the act entitled "an act to organize and

regulate the militia of the State of Indiana," approved February 10, 1831;

Was read the second time,

On motion of Mr. Bell,

The same was amended by adding the following as an additional section, to wit:

"Sec.——That when any military court or board of officers may be ordered, the officer ordering the same shall appoint a provost marshal, and issue subpoenas for the necessary witnesses named by the parties witnessed, in the matter to be submitted to such court or board; which subpoenas shall be returnable at the time and place at which such court or board may be ordered to meet, and may be executed by the provost marshal, the party interested or other responsible person; and the deposition of the party or such responsible person executing the same, shall be sufficient evidence of the execution thereof."

The said bill was then ordered to be engrossed, and read a third time to-morrow.

The joint resolution of the General Assembly concerning the public lands,

Was read the second time;

Mr. Proffit moved to commit it to a committee of the whole House for to-morrow;

Which motion was decided in the negative.

A motion was then made by Mr. Crume to lay the same on the table;

Which was decided in the negative.

Before any further question was taken on said joint resolution,

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Gardner,

The several orders of the day were for the present postponed, and the resolution made by Mr. Morris and laid on the table on the 16th instant, relative to adjourning *sine die* was taken up;

Mr. Gardner moved to amend said resolution by striking out the words 'twenty-eighth instant,' and inserting in lieu thereof the words 'fourth of February next.'

Mr. Steele moved the 2d of February;

The 3d of February was also proposed;

A division of the question was called for,

It was put on striking out,

And carried in the affirmative, and

On the question to insert the '4th of February next,

It passed in the affirmative.

The question was then put on the adoption of said resolution as amended;

And passed in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and request the adoption of a similar resolution on their part.

On motion of Mr. Henderson,

The several orders of the day which precede the bill to incorporate the Indianapolis and Lawrenceburgh rail-road company—the bill to incorporate the New Albany, Salem, Indianapolis and Wabash rail-road company—the bill to incorporate the Ohio and Wabash rail-road company—the bill to incorporate the New Albany and Terre-Haute turnpike company—and the bill to incorporate the Richmond, Eaton and Miami rail-road company, were for the present postponed for the purpose of considering those bills.

On motion of Mr. Maxwell,

The several committees of the whole House to which those bills were committed, were discharged from the further consideration thereof.

On motion of Mr. Willet,

The bill to incorporate the Harrison and Indianapolis rail-road company, heretofore laid on the table, was taken up;

Which said bill together with those above named, were recommitted to a select committee of Messrs. Culley, Logan, Henderson, Noble, Henley, Livingston, Williams, Robinson and Vawter.

On motion of Mr. Stanford,

The several orders of the day were for the present postponed for the purpose of moving a resolution—and it was therefore,

On motion of Mr. Stanford,

Resolved, That this House reciprocate the resolution of the Senate of the 26th instant, instructing the committee upon public buildings to prepare and report a bill to the Senate, providing for the sale of the land and lots unsold by the State in and near the town of Indianapolis, on such terms and conditions as will meet the contemplated expenditure for the erection of a State House.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Slaughter,

The orders of the day were further postponed, and leave having been given,

Mr. Slaughter presented a joint resolution of the General Assembly of the State of Indiana relative to the Michigan road scrip;

Which was twice read (the rules of the House having first been

(dispensed with) and ordered to be engrossed and read a third time to-morrow.

The House resolved itself into a committee of the whole, on the bill for the formation of the county of Lagrange; and after some time spent therein the Speaker resumed the chair and Mr. Cotton reported the same with sundry amendments, which were read and concurred in by the House generally.

Mr. Lane moved further to alter the same by striking out the word Lagrange (the name of the county) and inserting in lieu thereof the word "Warsaw;"

Which motion was decided in the negative.

Mr. Crume moved to strike out the word "Lagrange" and insert these words "De Kalb in honour of the French baron, a patriot of the revolution:"

A division of the question was called for by Mr. Crume, and

Being put on striking out,

It was decided in the negative.

Mr. Proffit moved to strike out the word "Lagrange" and insert the following, "Ray, in honour of the late Governor of Indiana;"

Which motion was decided in the negative.

Mr. Crume moved to strike out the word "Lagrange" and insert "Tecumseh;"

Debate arising thereon,

The previous question was called for by Messrs. Willet, Craven and Flake; and

Being put to wit:

Shall the main question be now put?

It passed in the affirmative.

The said main question was then put, to wit,

Shall the bill be engrossed and read a third time?

And passed in the affirmative.

On motion of Mr. Hanna,

The said bill was then read the third time, and

On the question,

"Shall the bill pass?"

It was carried in the affirmative.

Ordered, That said bill be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Hanna,

The committee of the whole House to which was committed the bill to authorize the location of a State road commencing on the Ohio State line at a point where the Bellefontaine State road intersects the State line of Indiana to the north boundary of the State in a direction to White pigeon in the territory of Michigan, were discharged from the further consideration thereof.

On motion of Mr. Hanna,

The said bill was recommitted to a select committee.

Ordered, That Messrs. Hanna, Wilson and Murray be that committee.

On motion of Mr. Reid,

The committee of the whole House to which was committed the bill to locate and open a State road from Napoleon in Ripley county to Brookville in Franklin county, were discharged from the further consideration thereof.

On motion of Mr. Reid,

The blank in the first section referring to the name of one of the commissioners was filled with the words "James Hornback;"

The said bill was then ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Harrod,

The committee of the whole House to which was committed the bill to locate a State road from New-Albany to Lexington, were discharged from the further consideration thereof.

On motion of Mr. Ferguson,

The word "forty" in that part of the bill which relates to the width of the road, was stricken out and the word "thirty" inserted in lieu thereof.

Mr. Henley moved to add the following proviso to the third section of the bill, viz:

"Provided that the commissioners of Clark county may or may not at their discretion cause said road to be opened as aforesaid, through said county of Clark."

Pending the question thereon,

A motion was made by Mr. Logan to lay the bill and proposed amendment on the table:

Which was decided in the negative.

The question recurred on the amendment moved by Mr. Henley;

And being put,

It was decided in the negative.

The bill was then ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Hanna,

The committee of the whole House to which was committed the bill of the House supplemental to an act providing means for the construction of the Wabash and Erie canal, were discharged from the further consideration thereof; and.

On motion of Mr. Hanna,

The said bill was indefinitely postponed.

On motion of Mr. Hoover,

The committee of the whole House to which was committed the joint resolution relative to the 3 per cent. fund, were discharged from the further consideration thereof.

Mr. Vawter moved to recommit the same to a select committee; and

Pending the question thereon,

It was

On motion of Mr. Lane,

Ordered, That the further consideration of said joint resolution be indefinitely postponed.

On motion of Mr. Griggs,

The committee of the whole House to which was committed the bill to revive a certain state road therein named and for other purposes, were discharged from the further consideration thereof.

Mr. Polke moved to strike out the second section thereof, which reads in the words following, to wit:

"Sec. 2. That the sum of two hundred and ninety dollars of the money heretofore appropriated on the said state road, and which by an act of the last session of the General Assembly, was changed to a road from Rome to Petersburg, be, and the same is hereby re-appropriated to the improving of the said state road in the county of Crawford." And

The ayes and noes being requested thereon by Messrs. Proffit and Griggs,

Those who voted in the affirmative are,

Messrs. Baber, Bryant, Casey, Decker, Gardner, Hargrove, Hite, Lane, Logan, Nelson, Polke, Proffit, Willet, and Wooden—14.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Bonner, Brady, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Durham, Ferguson, Finch, Flake, Frame, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Henley, Hoover, Huntington, Jones, Livingston, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Noble, Paddacks, Parks, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Wallace, Williams, Wilson, and Thornton, Speaker pro tem.—56.

And so said motion was decided in the negative.

On motion of Mr. Proffit,

The said bill was considered as engrossed and read the third time, and

On the question,—Shall the bill pass?

The ayes and noes being requested by Messrs. Proffit and Polke,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Brady, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Durham, Finch, Flake, Frame, Griggs, Grover, Heaton, Henderson, Hoover, Huntington, Jones, Livingston, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Noble, Parks, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Willet, Williams, Wilson, and Thornton, Speaker pro tem.—54.

And those who voted in the negative are,

Messrs. Casey, Ferguson, Gardner, Hargrove, Henley, Hite, Lane, Logan, Nelson, Polke, Proffit, Wallace, and Wooden—13.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

On motion of Maxwell,

The committee of the whole House to which was committed the bill to amend the act entitled "an act to establish a state road from Lake Michigan via Indianapolis, to some convenient point on the Ohio river," approved January 13, 1830, were discharged from the further consideration thereof.

Mr. Angle moved that the further consideration of said bill be indefinitely postponed;

Before the question was put thereon,

It was,

On motion of Mr. Reid,

Ordered, That said bill do lie on the table.

On motion of Mr. Gardner,

The committee of the whole House to which was committed the engrossed joint resolution from the Senate relative to internal improvement, a protecting tariff and rechartering the United States' Bank, were discharged from the further consideration thereof.

Mr. Culley moved to postpone the further consideration of said joint resolution until the first Monday in August next;

Mr. Lane moved to lay the joint resolution on the table; and

Before the question was put,

Mr. Lane withdrew said motion.

The question recurring on the motion of Mr. Culley to postpone; and

The ayes and noes being requested thereon by Messrs. Gardner and Proffit,

Those who voted in the affirmative are,

Messrs. Alley, Bryant, Casey, Clark, Cox, Crume, Culley, Davis,

Becker, Durham, Finch, Gardner, Hargrove, Heaton, Henley, Hite, Lane, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Noble, Paddacks, Parks, Tebbs, Wallace, Willet, Williams and Wooden—31.

And those who voted in the negative are,

Messrs. Angle, Baber, Bell, Bonner, Brady, Clawson, Conner, Cotton, Cravens, Crumpton, Ferguson, Flake, Frame, Griggs, Grover, Hanna, Harrod, Henderson, Hoover, Huntington, Jones, Livingston, Maxwell, Murray, Peyton, Polke, Proffit, Reid, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Wilson and Thornton, Speaker pro tem.—40.

And so said motion was decided in the negative.

Mr. Henley moved to lay said joint resolution on the table; and

The ayes and noes being requested thereon by Messrs. Huntington and Proffit,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bryant, Casey, Clark, Cox, Crume, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Gardner, Hargrove, Heaton, Henley, Hite, Lane, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Tebbs, Wallace, Willet, Williams and Wooden—35.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Brady, Clawson, Conner, Cotton, Cravens, Crumpton, Frame, Griggs, Grover, Hanna, Harrod, Henderson, Hoover, Huntington, Jones, Livingston, Maxwell, Murray, Polke, Proffit, Reid, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Wilson and Thornton, Speaker pro tem.—36.

And so said motion was decided in the negative.

Mr. Ferguson moved to amend said joint resolution by striking out that part of it which instructs our Senators, and requests our representatives in Congress to "oppose any alteration of the present tariff law, that may be calculated to abridge or impair the existing protection and encouragement afforded to the productions and labour of the farmers, manufacturers and mechanics of our own country," and by inserting in lieu thereof these words,—"support the present tariff law so far as it affords protection to the products and labour of the farmers, manufacturers, mechanics and vested capital of the country, against foreign policy and legislation;"

Debate arising thereon,

The previous question was called for by Messrs. Hoover, Proffit and Maxwell—and

Pending said previous question,

Mr. Henley moved that the House do adjourn until to-morrow morning 9 o'clock; and

The ayes and noes being requested on the question of adjournment by Messrs. Cox and Henley,

Those who voted in the affirmative are,

Messrs. Brady, Bryant, Casey, Clark, Clawson, Conner, Cotton, Cox, Crume, Culley, Davis, Decker, Ferguson, Finch, Flake, Gardner, Hargrove, Harrod, Heaton, Henderson, Henley, Hite, Lane, Logan, Lynd, Mastin, Moyer, Nelson, Noble, Paddacks, Peyton, Polke, Secrest, Tebbs, Wallace, Willet, Williams, Wooden and Thornton, Speaker pro tem.—39.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Bonner, Cravers, Crumpton, Durham, Frame, Griggs, Grover, Hanna, Hoover, Huntington, Jones, Livingston, Maxwell, Morris, Murray, Parks, Proffit, Reid, Robinson, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter and Wilson—32.

And so the House adjourned until to-morrow morning 9 o'clock.

SATURDAY MORNING, JANUARY 28, 1832.

The House met pursuant to adjournment.

Mr. Cotton from the committee of ways and means to which were referred sundry resolutions of the House, reported a bill making specific appropriations for the year 1832;

Which was twice read (the rules of the House having first been dispensed with) and committed to a committee of the whole House for Monday next.

Mr. Davis from the committee on education, to which was referred, the petition of Andrew Hammer and others, citizens of a certain school district in Sullivan county; praying authority to change the location of their public school house;

Reported that they have, according to order, had that subject under consideration and are of opinion that the prayer of the petitioners is provided for in the 37th section of an act, entitled "an act, for incorporating Congressional Townships, and providing for public schools therein;" approved Feb. 10, 1831, and ask to be discharged from the further consideration of the subject,

Which was read, and it was thereupon

Ordered, That the committee be discharged accordingly.

Mr. Wilson from the committee on roads, to which was referred the memorial of Samuel Milroy and Homer Johnson, superintendents of the national road, reported a bill for the relief of contractors on the Cumberland road;

Which was read the first and second times, (the rules of the House having first been dispensed with,) when,

Mr. Reid moved that it be committed to a committee of the whole House, for Monday next.

Mr. Willett proposed to make it the order of the day, for this day now;

The question was put, on committing for Monday,

And passed in the affirmative.

Mr. Mastin from the select committee, to which was committed the bill to appropriate part of the three per cent. fund and for other purposes, reported the same with two amendments;

Which were read and concurred in.

On motion of Mr. Mastin,

The said bill was considered as engrossed and read the third time, And on the question, shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Hanna from the select committee, to which was re-committed the bill to authorize the location of a state road from the Ohio State line, at a point where the Bellefontaine state road intersects the same, to the northern boundary line of Indiana, in the direction to White Pigeon, in the Territory of Michigan, reported the same with one amendment,

Which was read and concurred in.

On motion of Mr. Hanna,

The said bill was considered as engrossed and read the third time, And on the question, shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the clerk carry it to the Senate and ask their concurrence.

Mr. Ruddick made the following report:

The joint committee of free conference, heretofore appointed to take into consideration the disagreeing votes of the two Houses, relative to the amendments made by the Senate, to the engrossed bill of the House of Representatives, entitled "an act for the relief of John Jones," have agreed that the House of Representatives recede from their amendment to the 6th amendment made by the Senate to the said bill, and agree to the said sixth amendment, and that the House recede from their disagreement to the second, third, fourth and seventh amendments to said bill,"

Which report was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Crume made the following report which was read and concurred in:

The select committee to which was referred the five several petitions of the citizens of the county of Fayette, praying that a law might be passed, requiring the board doing county business, in and for the county of Fayette, to appropriate twelve hundred dollars out of the county treasury, to aid in building a bridge across the west fork of White water river at Connersville, opposite to lot number one, in that part of the town first laid out, by John Conner, or as near thereto as circumstances and the public interest may require; have had that subject under consideration and have directed me to report, that in their opinion it is inexpedient to legislate on that subject, because they doubt the right of this body to interfere with, or in any manner control the fund which belongs (in the opinion of your committee,) exclusively to the county, and they are clearly of opinion that it would be impolitic for the Legislature to direct, to what particular objects such fund should be applied, unless requested so to do, by a majority of all the persons subject to taxation in such county, which, in this instance cannot be the case, there being but 256 persons petitioning, and because on examining the sixty second, sixty third, sixty fourth, sixty fifth, sixty sixth, sixty seventh and sixty eighth sections of an act, entitled "an act, for the opening and repairing public roads and highways," approved Feb. 10, 1831, they find that power is given to the county Commissioners, if in their opinion the public convenience requires it, to build Bridges over any water course, and further, that in the special acts of the last session, they find that a law was then enacted, appointing trustees to superintend the erection of a bridge across the west fork of said river, at the same point, named in the petitions, and authorizing the commissioners of the county of Fayette, upon petition of her citizens, to appropriate out of the county treasury any sum, not less than eight hundred dollars, to aid in building said bridge.

From the facts above recited, your committee are fully satisfied that the object contemplated in the petitions, can be attained in a manner much more satisfactory to the people of the county generally, (out of whose pockets the money asked in said petition was taken,) without further legislation: Therefore your committee ask to be discharged from the further consideration of the subject."

Ordered, That the committee be discharged accordingly.

Mr. Gardner made the following report:

"The committee of free conference, to which was referred the disagreeing votes of the two Houses on the second amendment, made in the Senate to the bill of the House, entitled "an act. to amend an act, incorporating Congressional townships and providing for public schools therein," approved Feb. 10, 1831; have conferred with the

committee of the Senate on that subject, but being unable to convince said committee that the amendment made in the Senate, would be deleterious in its effects and would operate unequally upon the citizens of the State, if not in direct violation of the Constitution, they therefore cannot agree, and ask to be discharged from the further consideration of the subject."

The said committee were accordingly discharged.

Mr. Culley from the select committee to which were re-committed the bills to incorporate the Richmond, Eaton and Miami rail road company,

The Lawrenceburgh and Indianapolis rail road company,

The Ohio and Wabash rail road company,

The New Albany, Salem, Indianapolis and Wabash rail road company.

The New Albany and Terre-Haute turnpike road company,

And the Harrison and Indiananapolis rail road company;

Reported the same with sundry amendments which were read,
When,

Mr. Lane moved to lay said report and bills on the table.

Before the question was put thereon,

The hour arrived for passing to the orders of the day.

The following message was received yesterday from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate concurs in all the amendments proposed by the House of Representatives, to the engrossed bill of the Senate, entitled "an act supplemental to an act, entitled an act, to establish a state road from Richmond in Wayne county, to Fort-Wayne.

The Senate has passed an engrossed bill, entitled "an act, to License and regulate Taverns and Groceries, in which the concurrence of the House of Representatives is requested;

The engrossed bill from the Senate above named,

Was read the first time.

Mr. Henley moved that it be rejected,

And the ayes and noes being requested thereon by Messrs. Crume and Stevenson,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bonner, Casey, Clark, Cotton, Cox, Davis, Ferguson, Finch, Flake, Gardner, Griggs, Henley, Hite, Lane, and Noble—17.

And those who voted in the negative are,

Messrs. Angle, Bell, Brady, Bryant, Clawson, Conner, Cravens, Crume, Crumpton, Culley, Decker, Durham, Frame, Grover, Hanna,

Hargrove, Harrod, Heaton, Henderson, Hoover, Huntington, Jones, Livingston, Logan, Lynd, Mastin, Maxwell, Morris, Moyer, Murray, Nelson, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Wallace, Williams, Wilson, Wooden and Thornton, Speaker pro tem.—54.

And so said motion was decided in the negative.

On motion of Mr. Crume,

The rules of the House were dispensed with and the bill was read the second time.

On motion of Mr. Lane,

Ordered, That it be committed to a committee of the whole House for Monday next.

The House resumed the consideration of the engrossed joint resolution from the Senate, relative to internal improvements, a protecting tariff and rechartering the United States Bank, depending at the last adjournment,

When

Mr. Ferguson moved to lay said joint resolution and the amendment proposed thereto, undetermined when the joint resolution was last under consideration on the table; and

The ayes and noes being requested on the motion to lay on the table, by Messrs. Logan and Gardner,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Brady, Bryant, Casey, Clark, Cox, Crume, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Gardner, Hargrove, Harrod, Heaton, Henley, Hite, Lane, Logan, Lynd, Mastin, Morris, Moyer, Nelson, Noble, Paddacks, Parks, Peyton, Ruddick, Steele, Tebbs, Wallace, Willet, Williams and Wooden—39.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Clawson, Conner, Cotton, Cravens, Crumpton, Frame, Griggs, Grover, Hanna, Henderson, Hoover, Huntington, Jones, Livingston, Maxwell, Murray, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Slaughter, Smiley, Stanford, Stevenson, Vawter, Wilson and Thornton, Speaker pro tem.—32.

And so it was ordered that said joint resolution and proposed amendment do lie on the table.

The House then resumed the consideration of the joint resolution of the General Assembly concerning the public lands, undetermined on yesterday at the arrival of the hour for passing to bills on their third reading.

Mr. Logan moved to postpone the same until the first Monday in August next.

Before the question was put,
Mr. Logan withdrew said motion.

Mr. Proffit moved to amend the joint resolution, by adding to the first resolve the following proviso:

“Provided that the amount stipulated to be paid for public land in our state shall not exceed our proportionable part of the national debt, because exceeding that amount would not be satisfactory to the people of this State, and would lead to unprofitable and unnecessary legislation.”

Pending the question of said amendment,

Mr. Bryant moved that said joint resolution and proposed amendment be indefinitely postponed—and

The ayes and noes being requested thereon by Messrs. Finch and Crumpton,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Bryant, Conner, Cox, Cravens, Durham, Flake, Frame, Griggs, Grover, Lynd, Maxwell, Noble, Polke, Rose, Slaughter and Willet—18.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Brady, Casey, Clark, Clawson, Cotton, Crume, Crumpton, Culley, Davis, Decker, Ferguson, Finch, Gardner, Hanna, Hargrove, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Logan, Mastin, Morris, Murray, Nelson, Paddacks, Parks, Peyton, Proffit, Reid, Reynolds, Robinson, Ruddick, Secrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Wallace, Williams, Wilson, Wooden and Thornton
Speaker pro tem.—52.

And so said motion was decided in the negative.

The hour having arrived for passing to bills on their third reading, the question was not taken on the amendment proposed by Mr. Proffit.

Engrossed bills and a joint resolution of the House, viz:

The bill to provide for selling the Michigan road lands, to open that part of the Michigan road between Logansport and Lake Michigan and for other purposes,

The bill in addition to the act entitled “an act to organize and regulate the militia of the State of Indiana,” approved February 10, 1831,

The bill to locate and open a State road from Napoleon in Ripley county to Brookville in Franklin county; and

The joint resolution of the General Assembly relative to the Michigan road scrip,

Were severally read the third time and passed.

Ordered, That said bills be entitled 'acts,' and that the Clerk carry them, together with said joint resolution to the Senate and ask their concurrence.

The engrossed bill for the relief of contractors on the Cumberland road was read the third time; and

On the question,
Shall said bill pass?

The ayes and noes being requested by Messrs. Secrest and Stevenson,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bonner, Clark, Clawson, Conner, Cotton, Cox, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Henley, Hoover, Huntington, Lane, Livingston, Lynd, Martin, Morris, Murray, Nelson, Paddacks, Peyton, Polke, Profit, Reid, Reynolds, Robinson, Rose, Ruddick, Slaughter, Smuley, Telbs, Vawter, Williams, Wilson and Thornton, Speaker pro tem.—49.

And those who voted in the negative are,

Messrs. Baber, Bell, Brady, Bryant, Casey, Cravens, Flake, Harrod, Hite, Jones, Logan, Maxwell, Moyer, Noble, Parks, Secrest, Stanford, Steele, Stevenson, Wallace, Willet and Wooden—22.

And so said bill passed.

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to locate a State road from New Albany to Lexington was read the third time.

Mr. Ferguson moved to recommit it to a select committee;

Which motion did not prevail;

And the question being put,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Brady asked for leave to introduce a joint resolution on the subject of procuring stoves for the Representative Hall.

And on the question,

Shall leave be given?

It was decided in the negative.

On motion of Mr. Alley,

The engrossed bill from the Senate to locate a State road from

Greensburg, by way of Goshen, to Columbus, heretofore laid on the table, was taken up.

On motion of Mr. Alley,

The first section thereof was amended by striking out the word "Samuel" and inserting "William J."

On motion of Mr. Davis,

The amendment was considered as engrossed and the bill read the third time.

And on the question,

Shall it pass?

It was carried in the affirmative.

Ordered, That the clerk inform the Senate thereof and ask their concurrence in the amendment.

On motion of Mr. Hanna,

The bill to authorize the location of a road from Fort Wayne in Allen county to Mon-go-qui-non prairie in the county of was taken up.

On motion of Mr. Hanna,

The several blanks in the 1st and 4th sections were respectively filled with the word "Lagrange."

On motion of Mr. Hoover,

The last section of the bill, which appropriates fifty dollars out of the three per cent. fund toward surveying and opening said road, was stricken out.

On motion of Mr. Hoover,

The said bill was considered as engrossed and read the third time; and

On the question,

Shall the bill pass?

It was carried in the affirmative.

On motion of Mr. Hanna,

The title thereof was amended by filling the blank with the word "Lagrange."

Ordered, That said bill be entitled 'an act,' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Bryant,

The bill declaring certain offices incompatible, heretofore laid on the table, was taken up.

The question recurred on the amendment proposed by Mr. Davis, depending when the bill was laid on the table; and being put,

It was decided in the negative.

Mr. Crume moved to strike out the second section of said bill, which section is as follows, to wit:

"SEC. 2. The office of Post Master is hereby declared and shall be deemed to be an office held under the authority of the President of the United States, and no person whilst holding or exercising said of-

rice of Post Master, shall be eligible to a seat in the General Assembly of this State, or to hold any other office, derived under the authority thereof, unless such Postmaster shall first resign; and any person whilst occupying the situation of Postmaster, who shall, contrary to the provisions of this act, accept any office, derived under the authority of this State as aforesaid, he shall, if a member of the General Assembly, be liable to expulsion from his seat; and if any other officer be deemed guilty of usurpation, as provided for in the first section of this act and liable to be proceeded against accordingly, as therein provided for."

Before the question was put on said motion,
The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed, without amendment, the joint resolution from the House of Representatives, for the benefit of William Polke and others.

The Senate continue to insist on the second amendment proposed by them to the engrossed bill of the House entitled "an act to amend the act entitled an act incorporating Congressional townships and providing for public schools therein, approved February 10, 1831, and have appointed Messrs. Long and Fletcher a second committee of free conference, (the first committee having been discharged) to take into consideration the disagreeing vote of the two Houses on said amendment, and request the appointment of a similar committee on the part of the House of Representatives.

On motion of Mr. Lane,

Ordered, That a second committee of free conference be appointed on the part of the House to take into consideration, with the aforesaid named committee of the Senate, the subject matter of disagreement between the two Houses, named in said message.

Whereupon,

Messrs. Lane and Wooden were appointed of that committee, on the part of the House.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Cotton,

The committee of the whole House, to which was committed the bill amendatory of the act, for assessing and collecting the revenue, were discharged from the further consideration thereof, and

On motion of Mr. Vavter,

Said bill was re-committed to the committee of ways and means.

On motion of Mr. Robinson,

The committee of the whole House to which was committed the bill for the formation of a volunteer corps of light infantry, in the thirty-third regiment of the militia of this State, were discharged from the further consideration thereof.

Mr. Wooden moved that said bill be indefinitely postponed, and
Before the question was put,

Mr. Wooden withdrew said motion.

Ordered, That said bill be engrossed and read a third time on Monday next.

The House resolved itself into a committee of the whole, on the engrossed bill from the Senate, to establish a state road from Greensburgh in Decatur county, to Noblesville, in Hamilton county; and after some time spent therein the Speaker resumed the chair and Mr. Noble reported the same with sundry amendments,

Which were read and concurred in, by the House generally.

On motion of Mr. Bell,

The said bill was re-committed to a select committee of Messrs. Bell, Morris and Conner.

On motion of Mr. Logan,

The committee of the whole, to which was committed the engrossed bill from the Senate, to amend the act, entitled "an act, to regulate the fees and salaries of the several officers and persons therein named;" approved Feb. 7, 1831;

Were discharged from the further consideration thereof, and

On motion of Mr. Willet,

The said bill was indefinitely postponed.

On motion of Mr. Logan,

The committee of the whole House, to which was committed, the engrossed bill from the Senate, to amend the act, entitled "an act, authorizing domestic attachments and regulating the proceedings thereon;" approved, Jan. 19, 1831,

Were discharged from the further consideration thereof, and

On motion of Mr. Logan,

Said bill was indefinitely postponed.

On motion of Mr. Hoover,

The committee of the whole House, to which was committed the engrossed joint resolution from the Senate, on the subject of the United States' Bank;

Were discharged from the further consideration thereof.

Mr. Bonner moved to amend the same, so as to read "one or more branches," instead of "a branch;"

Pending that question,

Mr. Willet moved to postpone the further consideration of said joint resolution indefinitely, and

The ayes and noes being requested thereon by Messrs. Davis and Hoover,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Casey, Clark, Crume, Culley, Flake, Gardner, Hargrove, Henley, Hite, Jones, Lane, Logan, Lynd, Nelson, Noble, Stanford, Steele, Tebbs, Willett, Williams, and Wooden—23.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Brady, Bryant, Clawson, Conner, Cotton, Cravens, Crumpton, Davis, Decker, Durham, Ferguson, Finch, Frame, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Hoover, Huntington, Livingston, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stevenson, Vawter, Wallace, Wilson and Thornton Speaker, pro tem.—48.

And so said motion was decided in the negative.

Mr. Henley moved to lay the joint resolution and proposed amendment on the table;

And the ayes and noes being requested thereon, by Messrs. Huntington and Cravens,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Casey, Clark, Crume, Culley, Ferguson, Flake, Hargrove, Henley, Hite, Jones, Lane, Logan, Lynd, Nelson, Noble, Stanford, Tebbs, Wallace, Willet and Wooden—22.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Brady, Bryant, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Davis, Decker, Durham, Finch, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Hoover, Huntington, Livingston, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Steele, Stevenson, Vawter, Williams, Wilson and Thornton, Speaker pro tem.—49.

And so said joint resolution was not laid on the table.

The question was then put on the amendment proposed by Mr. Bonner,

And passed in the affirmative.

Mr. Hite moved further to amend the joint resolution, by inserting the words "at Vincennes," (the location of such branch bank.)

Mr. Slaughter moved to amend said amendment by adding, after the word "Vincennes," these words "and Indianapolis."

Before a decision was had thereon.

The previous question was called for, by Messrs. Frame, Cravens and Bryant, and

Pending said previous question,

Mr. Flake moved to lay the joint resolution and proposed amendments on the table,

And the ayes and noes being requested thereon, by Messrs. Flake and Mastin,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Casey, Crume, Flake, Henley, Hite, Jones, Nelson, Noble, Stanford, Tebbs and Willet—13.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Brady, Bryant, Clark, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Hoover, Huntington, Lane, Livingston, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Steele, Stevenson, Vawter, Wallace, Williams, Wilson, Wooden and Thornton, Speaker pro tem.—56.

And so said motion was decided in the negative.

The previous question then recurred, to wit,

Shall the main question be now put?

The ayes and noes being requested thereon, by Messrs. Williams and Mastin,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bell, Bonner, Brady, Bryant, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Davis, Decker, Durham, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Hoover, Livingston, Logan, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Wilson, and Thornton, Speaker pro tem.—52.

And those who voted in the negative are,

Messrs. Baber, Casey, Crume, Culley, Henley, Hite, Huntington, Jones, Lane, Nelson, Noble, Tebbs, Wallace, Willet, Williams and Wooden—16.

And so said previous question passed in the affirmative.

The said main question was then put, to wit:

Shall the amendment be engrossed and the joint resolution pass to a third reading?

And the ayes and noes being requested thereon, by Messrs. Steele and Cravens,

Those who voted in the affirmative are,

Messrs. Angle, Bell, Bonner, Brady, Bryant, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Davis, Decker, Durham, Finch, Frame, Gardner, Griggs, Grover, Hanna, Heaton, Henderson, Hoover, Huntington, Livingston, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stevenson, Vawter, Wilson and Thornton, Speaker pro tem.—46.

And those who voted in the negative are,

Messrs. Alley, Baber, Casey, Crume, Culley, Ferguson, Flake, Hargrove, Henley, Hite, Jones, Lane, Logan, Nelson, Noble, Stanford, Steele, Tebbs, Wallace, Willet, Williams and Wooden—22.

And so it was ordered that said amendment be engrossed and the joint resolution read a third time.

On motion of Mr. Maxwell,

The said amendment was considered as engrossed, and the joint resolution read the third time.

And on the question,

Shall said joint resolution pass?

The ayes and noes being requested by Messrs. Proffit and Maxwell.

Those who voted in the affirmative are,

Messrs. Angle, Bell, Bonner, Brady, Bryant, Clawson, Conner, Cotton, Cox, Cravens, Crumpton, Davis, Decker, Durham, Finch, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Hoover, Huntington, Livingston, Mastin, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stevenson, Vawter, Wilson and Thornton, Speaker pro tem.—47.

And those who voted in the negative are,

Messrs. Alley, Baber, Casey, Crume, Culley, Ferguson, Flake, Hargrove, Henley, Hite, Jones, Lane, Logan, Nelson, Noble, Stanford, Steele, Tebbs, Wallace, Willet, Williams and Wooden—22.

And so said joint resolution passed.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence in the amendment.

On motion of Mr. Hanna,

The several orders of the day which precede the engrossed bill from the Senate, supplementary to "an act, to authorize the Agent of State, for the town of Indianapolis, to lay off the land belonging to the state into lots and offer the same for sale;" approved Feb. 9, 1831.

Were for the present postponed.

On motion of Mr. Hanna,
The committee of the whole, to which that bill was committed,
were discharged from the further consideration thereof; and

On motion of Mr. Morris,
Ordered, That it be re-committed to the committee on Public
Buildings.

And then the House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, JANUARY 30, 1832.

The House met pursuant to adjournment.

A message was received from the Governor by Mr. Griffith his
private secretary, notifying that he has approved and signed the
following bills entitled acts:

- An act to incorporate the Decatur county Seminary.
- An act for the relocation of a part of the Williamsport State road.
- An act authorizing the distribution of the money now due to road
number eight, and for other purposes.

• An act to amend an act, entitled "an act, to provide for the loca-
tion of certain state roads therein named;" approved, February 10,
1831.

• An act to locate a State road from Jefferson in Clinton county to
Attica and from thence to Farmer's ford, and from thence to inter-
sect the Williamsport State road in the direction to Chicago.

Which originated in the House of Representatives.

A message from the Senate, by Mr. Morris, their assistant Secre-
tary:

Mr. Speaker:

The Senate has passed engrossed bills of the House of Represen-
tives as follows, to wit:

• An act to amend an act entitled "an act to appropriate a part of
the three per cent. fund" approved February 10, 1831.

• An act to provide for the location of a State road therein named,
The first without, the latter with an amendment.

The Senate has also passed a memorial and joint resolution of the
General Assembly of the State of Indiana, to procure means for the
construction of a canal to connect White river with the Wabash at
the town of Vincennes.

In which memorial and joint resolution of the Senate, and the a-
mendment proposed to the bill of the House, the concurrence of the
House of Representatives is requested.

The Senate concur in the amendment proposed by the House to the
engrossed bill of the Senate entitled "an act to locate a State road
from Greensburgh, by way of Goshen, to Columbus.

The amendment proposed by the Senate to the engrossed bill of the House, secondly above named, was read and agreed to.

The engrossed memorial and joint resolution from the Senate, above named, was three times read (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hanna from the committee on public buildings, to which was recommitted the engrossed bill from the Senate entitled an act supplementary to "an act to authorize the Agent of State for the town of Indianapolis to lay off the land belonging to the State into lots and offer the same to sale," approved February 9, 1831, reported the same with sundry amendments, which were read and agreed to.

Ordered, That said amendments be engrossed and the bill read a third time to-morrow.

Mr. Bell from the select committee to which was recommitted the engrossed bill from the Senate to establish a State road from Greensburgh in Decatur county to Noblesville in Hamilton county, reported the same with one amendment;

Which was read and concurred in.

On motion of Mr. Morris,

The said amendment was considered as engrossed and the bill read the third time.

And on the question,

"Shall the bill pass?"

It was carried in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence in said amendment.

Mr. Livingston from the select committee to which was recommitted the engrossed bill of the House to incorporate the Brownstown manufacturing company, reported the same with one amendment;

Which was read and concurred in by the House.

On motion of Mr. Proffit,

Said bill was considered as engrossed and read the third time.

And on the question,—Shall the bill pass?

It was carried in the affirmative.

Ordered, That said bill be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

The House then proceeded to consider the orders of the day, and

Resumed the consideration of the bill declaring certain offices incompatible, arrested by the hour on Saturday last, for passing to bills on their third reading.

The question recurred on the motion of Mr. Crume to strike out the second section; and

The ayes and noes being requested thereon by Messrs. Bryant and Logan,

Those who voted in the affirmative are,

Messrs. Bell, Bonner, Clawson, Crume, Decker, Ferguson, Finch, Frame, Gardner, Griggs, Hanna, Heaton, Henderson, Henley, Lane, Livingston, Lynd, Mastin, Maxwell, Murray, Nelson, Parks, Proffit, Robinson, Secrest, Stanford, Stevenson, Vawter, Wallace, Willet, Williams and Wooden—33.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Brady, Bryant, Casey, Clark, Conner, Cotton, Cox, Cravens, Culley, Durham, Flake, Grover, Hargrove, Harrod, Hite, Hoover, Jones, Logan, Morris, Moyer, Noble, Paddacks, Peyton, Polke, Reid, Rose, Ruddick, Slaughter, Smiley, Steele, Tebbs and Thornton, Speaker pro tem.—34.

Messrs. Crumpton and Davis having been excused from voting;

And so said motion was decided in the negative.

Mr. Lane moved to lay said bill on the table; and

The ayes and noes being requested thereon by Messrs. Angle and Hoover,

Those who voted in the affirmative are,

Messrs. Bonner, Clawson, Crume, Davis, Finch, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Henderson, Henley, Huntington, Lane, Lynd, Mastin, Maxwell, Morris, Murray, Nelson, Robinson, Secrest, Stanford, Stevenson, Vawter, Wallace, Willet and Williams—30.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Conner, Cotton, Cox, Cravens, Culley, Decker, Durham, Ferguson, Flake, Harrod, Hite, Hoover, Jones, Livingston, Logan, Moyer, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Rose, Ruddick, Slaughter, Smiley, Steele, Tebbs, Wooden and Thornton, Speaker pro tem.—38.

Mr. Crumpton having been excused from voting;

And so said motion was decided in the negative.

On motion of Mr. Moyer,

The said bill was amended in the first section, by striking out from the concluding part of the first section these words:

“And shall moreover be liable to punishment by indictment in the proper circuit court, as provided in the 47th section of the act relative to crime and punishment.”

Mr. Stanford moved further to amend the bill, by adding to the first section, the following proviso, to wit:

"Provided that appointments made by the boards doing county business shall not be deemed offices within the meaning of this section."

Mr. Angle moved to amend said amendment by adding to it these words: "except the appointment of county surveyor;"

Which motion was decided in the negative.

Mr. Steele moved to amend said amendment by striking out the word 'not;'

Which motion was decided in the negative.

Mr. Bonner moved that the further consideration of said bill and proposed amendment be indefinitely postponed,

And the ayes and noes being requested thereon by Messrs. Hite and Robinson,

Those who voted in the affirmative are,

Messrs. Bonner, Clawson, Conner, Davis, Ferguson, Finch, Gardner, Griggs, Hanna, Hargrove, Heaton, Henderson, Henley, Huntington, Lane, Lynd, Mastin, Maxwell, Murray, Proffit, Robinson, Secrest, Stanford, Stevenson, Vawter, Wallace, Willet and Wilson,—28.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Cravens, Crume, Culley, Decker, Durham, Flake, Frame, Grover, Harrod, Hite, Hoover, Jones, Livingston, Logan, Morris, Moyer, Noble, Paddacks, Parks, Peyton, Polke, Reid, Rose, Ruddick, Slaughter, Smiley, Steele, Tebbs, Williams, Wooden and Thornton Speaker pro tem.—41.

Mr. Crumpton having been excused from voting.

And so said motion was decided in the negative.

Mr. Gardner moved to lay the bill and proposed amendment on the table.

Which motion was decided in the negative.

Debate arising on the depending amendment,

The previous question was called for, by Messrs. Slaughter, Ruddick and Henderson,

And was put, to wit:

Shall the main question be now put?

The ayes and noes being requested thereon, by Messrs. Bryant and Lane,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bonner, Brady, Casey, Clark, Conner, Cotton, Cox, Cravens, Decker, Durham, Ferguson, Finch, Flake, Griggs, Grover, Harrod, Heaton, Henderson, Henley, Hoover, Jones, Livingston, Logan, Maxwell, Morris, Moyer, Murray, Noble, Paddacks, Parks, Peyton, Polke, Proffit, Reid, Rose, Ruddick, Slaughter;

Smiley, Steele, Stevenson, Tebbs, Wallace, Willet, Williams, Wilson, Wooden and Thornton, Speaker *pro tem.*—50.

And those who voted in the negative are,

Messrs. Bell, Bryant, Clawson, Crume, Gulley, Davis, Frame, Gardner, Hanna, Hargrove, Hite, Huntington, Lane, Lynd, Mastin, Nelson, Robinson, Secrest, Stanford and Vawter—20.

And so said previous question passed in the affirmative.

The said main question was then put, to wit:

Shall the bill be engrossed, and pass to a third reading?

And,

The ayes and noes being requested thereon, by Messrs. Flake and Lane,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bell, Brady, Bryant, Casey, Clark, Cotton, Cox, Cravens, Culley, Decker, Durham, Flake, Grover, Harrod, Hite, Hoover, Jones, Livingston, Logan, Morris, Moyer, Noble, Paddacks, Parks, Peyton, Polke, Reid, Rose, Ruddick, Slaughter, Smiley, Steele, Tebbs, Wooden and Thornton, Speaker *pro tem.*—37.

And those who voted in the negative are,

Messrs. Bonner, Clawson, Conner, Crume, Davis, Ferguson, Finch, Gardner, Griggs, Hanna, Harrod, Heaton, Henderson, Henley, Huntington, Lane, Lynd, Mastin, Maxwell, Murray, Nelson, Proffit, Robinson, Secrest, Stanford, Stevenson, Vawter, Wallace, Willet, Williams and Wilson—31.

And so it was ordered that said bill be engrossed and pass to a third reading, (Mr Crumpton having been excused from voting.)

Mr. Lane proposed Saturday next, as the day when said bill be read the third time.

Mr. Logan proposed to-morrow;

Mr. Slaughter proposed this day now;

The question was put on the proposition for Saturday next, And decided in the negative.

And being put on the motion for 'to-morrow.'

It was carried in the affirmative.

The House resumed the consideration of the joint resolution of the General Assembly concerning the publick lands, undetermined at the adjournment on Saturday morning.

Mr. Bryant moved to amend the depending amendment, proposed by Mr. Proffit, to said joint resolution, by striking out therefrom the word "because" and all that follows it.

Before the question was put thereon,

Mr. Proffit withdrew said amendment.

Mr. Proffit moved to amend said joint resolution, by adding to the first resolve the following:

"And as many of the inhabitants of Indiana are unable to purchase land of the General Government, our Senators are hereby instructed, and our Representatives respectfully requested to use their utmost exertion toward the passage of a Law, donating to every indigent applicant 80 acres of land, on condition of actual settlement."

Mr. Davis moved to strike out the word 'eighty' and insert the words 'one hundred and sixty.'

Which was accepted by Mr. Proffit as a modification of his amendment.

Debate arising thereon,

Messrs. Hanna, Flake and Lane called for the previous question.

Pending said previous question,

Mr. Proffit moved to lay said joint resolution and proposed amendment on the table, and

The ayes and noes being requested thereon, by Messrs. Proffit and Finch.

Those who voted in the affirmative are,

Messrs. Angle, Baber, Bonner, Bryant, Cox, Cravens, Crume, Frame, Hanna, Hite, Lynd, Mastin, Maxwell, Morris, Moyer, Polke, Proffit, Robinson, Rose and Stanford—20.

And those who voted in the negative are,

Messrs. Alley, Bell, Brady, Casey, Clark, Clawson, Conner, Cotton, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Finch, Flake, Gardner, Griggs, Grover, Hargrove, Heaton, Henderson, Hoover, Huntington, Jones, Lane, Livingston, Logan, Nelson, Paddacks, Parks, Peyton, Reid, Ruddick, Secrest, Smiley, Steele, Stevenson, Tebbs, Vawter, Wallace, Willet, Williams, Wilson and Thornton, Speaker pro tem.—15.

And so said motion was decided in the negative.

The Speaker now announced the arrival of the House, for passing the bills on their third reading.

On motion of Mr. Lane,

The last mentioned orders of the day were suspended, for the purpose of continuing the consideration of said joint resolution.

The said previous question was then put, to wit:

Shall the main question be now put?

And passed in the affirmative.

The said main question was then put, to wit:

Shall the said joint resolution be engrossed and pass to a third reading?

And was carried in the affirmative.

The engrossed bill for the formation of a volunteer corps of light infantry in the 33d regiment of the militia of this State,

Was read the third time and passed.

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Morris moved the following resolution:

Resolved, That the enrolling clerk of this House is hereby authorized to employ an assistant or assistants, who shall receive the same per diem allowance as shall be made to said enrolling clerk, to be allowed in the specific appropriation bill on the certificate of the said enrolling clerk.

Mr. Logan moved to lay said resolution on the table;

Which motion was decided in the negative.

The said resolution was then agreed to by the House.

Mr. Alley moved the following resolution:

Resolved, That this House instruct the public printer to furnish the members of this House with 1000 copies of the titles of the acts and joint resolutions passed at the present session, headed with—"Fellow citizens"—and each member's name subscribed to their proportionable part of copies as aforesaid.

On motion of Mr. Bryant,

Said resolution was amended by adding thereto the words "and a suitable circular."

Mr. Lane moved to lay said resolution on the table;

Which motion was decided in the negative.

Mr. Hoover moved to strike out of the resolution all after the word "session;"

Pending said question,

It was

On motion of Mr. Bonner,

Ordered, That said resolution and proposed amendment be indefinitely postponed.

On motion of Mr. Hanna,

The bill to amend the act entitled "an act dividing the State into judicial circuits and fixing the times of holding courts therein, heretofore laid on the table, was taken up;

The question recurred on granting the committee of the whole to which said bill had been committed leave to sit again on said bill;

And being put,

It was decided in the negative.

On motion of Mr. Hanna,

The blanks in the first section were filled respectively with the words "Laporte," and "Lagrange."

Mr. Hanna moved to fill the first blank in the second section with the word "Lagrange," and the second blank with the word "Laporte."

Pending the question thereon,

Mr. Logan moved that the further consideration of said bill and proposed amendment be indefinitely postponed; and

The ayes and noes being requested thereon by Messrs. Crume and Logan,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Casey, Cotton, Cox, Cravens, Crume, Culley, Davis, Decker, Durham, Ferguson, Flake, Hargrove, Henley, Hite, Hoover, Jones, Lane, Logan, Lynd, Mastin, Moyer, Paddacks, Parks, Polke, Reid, Robinson, Ruddick, Slaughter, Smiley, Stevenson, Vawter, Wallace, Williams and Wooden—36.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Brady, Bryant, Clark, Clawson, Conner, Crumpton, Finch, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Huntington, Livingston, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Rose, Secrest, Stanford, Steele, Tebbs, Willet, Wilson and Thornton, Speaker pro tem.—35.

And so the further consideration of said bill and proposed amendment was indefinitely postponed.

Whereupon,

Mr. Davis moved to reconsider said vote;

Which motion passed in the affirmative.

The question recurred on said motion of Mr. Logan to postpone—and

The ayes and noes being requested thereon, by Messrs. Wilson and Noble,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Casey, Cotton, Cox, Cravens, Crume, Culley, Davis, Decker, Durham, Ferguson, Flake, Gardner, Hargrove, Henley, Hite, Hoover, Jones, Lane, Logan, Lynd, Mastin, Moyer, Paddacks, Parks, Polke, Reid, Robinson, Ruddick, Slaughter, Smiley, Vawter, Wallace, Williams and Wooden—36.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Brady, Bryant, Clark, Clawson, Conner, Crumpton, Finch, Frame, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Huntington, Livingston, Maxwell, Morris, Murray, Nelson, Noble, Peyton, Proffit, Rose, Secrest, Stanford, Steele, Stevenson, Tebbs, Willet, Wilson and Thornton, Speaker pro tem.—35.

And so the further consideration of said bill and proposed amendment was indefinitely postponed.

The bill repealing the 10th section of an act relating to county seminaries, approved February 4, 1831 and for other purposes was read the second time and ordered to be engrossed and read a third time tomorrow.

The engrossed joint resolution of the General Assembly of the State of Indiana, from the Senate, to authorize and require the fund set apart for the improvement of the Wabash river to be loaned to the canal fund, was read the second and third times (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof.

The engrossed joint resolution from the Senate to ascertain the terms upon which means may be procured to secure to Indiana her share of the revenue to accrue from the erection of a bridge over the Ohio river at the Falls, was read the second time and ordered to be read a third time to-morrow.

The engrossed bill from the Senate to provide for the erection of a State House was read the second and third times (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof.

And then the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Finch,

The several orders of the day which precede the bill to alter and amend the 23d and 25th sections of the law regulating the jurisdiction and duties of justices of the peace, approved February 10, 1831, were for the present postponed.

On motion of Mr. Morris,

The several committees of the whole to which said bill and sundry other bills to amend the aforesaid act were committed, were discharged from the further consideration of said bills.

Ordered, That they be recommitted to a select committee of Messrs. Cravens, Ferguson, Angle, Hargrove, Noble, Proffit and Wooden.

On motion of Mr. Slaughter.

The committee of the whole House to which was committed the engrossed bill from the Senate to incorporate the Greenwood education society, were discharged from the further consideration thereof.

On motion of Mr. Slaughter,

Said bill was read the third time.

And on the question,

Shall it pass?

It was carried in the affirmative.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Hoover,

The committee of the whole House to which was committed the engrossed bill from the Senate to provide suitable compensation for

non-resident witnesses in criminal cases were discharged from the further consideration thereof.

On motion of Mr. Henley,
The said bill was read the third time.

And on the question,
Shall the bill pass?

It was carried in the affirmative.

Ordered, That the clerk inform the Senate thereof.

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with the engrossed bills, entitled as follows:

An act to legalize the election of trustees for the Presbyterian congregation in the town of Evansville.

An act to incorporate the town of Washington in Daviess county.

An act to repeal an act entitled "an act to repeal an act therein named and approved January 29th, 1831, and for other purposes.

An act to amend an act entitled "an act to incourage the killing of wolves, approved February 10th, 1831.

An act legalizing the proceedings of the board of commissioners of St. Joseph county.

An act to legalize the proceedings of David Miller.

An act changing the boundary line between the counties of Elkhart and St. Joseph.

An act to amend an act entitled an act to locate a State road from New Castle in Henry county to Milton in Wayne county.

An act granting relief to the contractors on the Michigan road.

An act for the relief of Curtis Smith.

An act for the benefit of Lawson Brent, William Anderson and others.

An act to locate a State road from Montezuma to Crawfordsville.

An act for the relief of Thomas Craner.

An act regulating the sales of the canal lands and for other purposes.

An act to authorize a special session of the board of commissioners of Bartholomew county, for the purpose of selecting grand and petit jurors for the March term of the Circuit Court for said county in the year 1832.

An act to provide for the location of a State road from the West bank of the Wabash river, opposite the public square in the town of Montezuma to the State line, in the direction of Judge Lowry's farm.

An act to locate a State road from Terre-Haute by way of Rockville to Crawfordsville.

An act supplemental to an act entitled "an act to establish a State road from Richmond in Wayne county to Fort Wayne.

An act to amend the act entitled an act respecting salines and saline reserves, approved February 4th, 1831:

And find the same truly enrolled.

When the Speaker signed said bills.

Ordered, That the Clerk carry them to the Senate, for the signature of their President.

On motion of Mr. Davis,

The committee of the whole House to which were committed the joint resolution relative to the improvement of the navigation of the Wabash and White rivers, and the engrossed memorial and joint resolution to the Congress of the United States, from the Senate, on the subject of improving the navigation of the Wabash river, were discharged from the further consideration thereof.

On motion of Mr. Davis,

The last named memorial was ordered to lie on the table.

On motion of Mr. Proffit,

The joint resolution of the House above named was read the third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence.

On motion of Mr. Moyer,

The committee of the whole House to which was committed the bill to establish a State road from Fredericksburgh in Washington county to Terre-Haute in Vigo county were discharged from the further consideration thereof.

On motion of Mr. Moyer,

The said bill was considered as engrossed and read the third time; and

On the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That said bill be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Lane,

The committee of the whole to which was committed the bill concerning lotteries were discharged from the further consideration thereof.

Ordered, That said bill be engrossed and read a third time tomorrow.

On motion of Mr. Bell,

Ordered, That Mr. Clawson have leave of absence from the service of the House, from this day for and during the remainder of the present session.

On motion of Mr. Smiley,

The committee of the whole House to which was committed, the bill to amend the act entitled 'an act relative to county boundaries.'

approved Feb. 10, 1831, were discharged from the further consideration thereof.

On motion of Mr. Morris,

The said bill was considered as engrossed and read the third time;

And on the question, Shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Logan,

The committee of the whole to which was committed the engrossed bill from the Senate supplemental to an act entitled "an act to regulate general elections," approved January 30, 1831, were discharged from the further consideration thereof.

On motion of Mr. Hargrove,

Said bill was amended by adding the following as an additional section, to wit:

"Sec.——Should any clerk refuse or neglect to comply with the requisitions of this act, such clerk shall, on conviction thereof, before the proper circuit court, by presentment or indictment be fined in any sum not exceeding one hundred dollars; and it is hereby made the duty of prosecuting attorneys of the proper circuit on being advised thereof, to prosecute the same to effect."

Ordered, That said amendment be engrossed and the bill read a third time to-morrow.

On motion of Mr. Hoover,

The committee of the whole to which was committed the bill to amend an act dividing the State into judicial circuits and fixing the times of holding courts therein, approved Feb. 10, 1831, were discharged from the further consideration thereof.

On motion of Mr. Hoover,

The said bill was considered as engrossed and read the third time;

And on the question,

'Shall the bill pass?'

It was carried in the affirmative.

Ordered, That it be entitled an 'act,' and that the clerk carry it to the Senate and ask their concurrence.

The House resolved itself into a committee of the whole on the bill to make certain witnesses competent,

And after some time spent therein the Speaker resumed the chair, and Mr. Smiley reported the same with two amendments, to wit: by prefixing to the bill the following preamble:

"Whereas by the Constitution of this State it is provided that no human authority can in any case whatever control or interfere with

the rights of conscience, and that no religious test shall be required as a qualification to any office of trust or profit,—Therefore,”

And the second of which amendments was by striking out the first section of the bill from the enacting clause, being in the words following, to wit:

“That every person believing in the existence of a Supreme Being, who will punish false swearing, shall be admitted to be sworn if otherwise competent;”

And inserting in lieu thereof the following:

“That no person shall be enforced, restrained, molested or burthened in any manner whatever on account of their opinions or belief relative to matters of religion, but that all persons shall be free to profess and by argument to maintain their opinions concerning matters of religion; and that the same shall in no wise diminish, enlarge or affect their civil capacities.”

The question being put,

Will the House concur in said amendments? and

The ayes and noes being requested thereon, by Messrs. Livingston and Reynolds,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bryant, Clark, Conner, Cotton, Cox, Culley, Davis, Decker, Durham, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Livingston, Logan, Mastin, Murray, Noble, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Robinson, Secrest, Slaughter, Smiley, Steele, Tebbs, Thornton, Vawter, Williams, and Wilson—41.

And those who voted in the negative are,

Messrs. Angle, Bonner, Brady, Casey, Crumpton, Ferguson, Finch, Flake, Frame, Heaton, Huntington, Lane, Maxwell, Morris, Moyer, Nelson, Rose, Ruddick, Stevenson, Wallace, Willet, Wooden and Moore Speaker—23.

And so the House concurred in said amendments.

Mr. Crumpton moved that the roll be called and absent members sent for;

Which motion was decided in the negative.

Mr. Livingston moved that said bill be considered as engrossed and read the third time now—and

The ayes and noes being requested thereon, by Messrs. Crumpton and Hite,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Brady, Bryant, Clark, Conner, Cox, Culley, Davis, Decker, Ferguson, Gardner, Griggs, Hargrove, Harrod,

Henderson, Henley, Hite, Hoover, Huntington, Livingston, Logan, Mastin, Murray, Noble, Parks, Proffit, Reid, Reynolds, Secrest, Slaughter, Smiley, Steele, Tebbs, Thornton, Vawter, Williams, Wilson and Moore, Speaker—39.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Casey, Cotton, Crumpton, Durham, Finch, Flake, Frame, Grover, Hanna, Heaton, Lane, Maxwell, Morris, Moyer, Nelson, Paddacks, Polke, Robinson, Rose, Ruddick, Stanford, Stevenson, Wallace, Willet and Wooden—28.

And so it was ordered that said bill be considered as engrossed and read the third time now.

The said bill was read the third time—and

The question being put,

Shall the bill pass?

The ayes and noes being requested thereon by Messrs. Maxwell and Crumpton,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bryant, Clark, Conner, Cravens, Crume, Culley, Davis, Decer, Durham, Ferguson, Gardner, Griggs, Harrod, Henderson, Henley, Hite, Hoover, Huntington, Livingston, Logan, Mastin, Murray, Noble, Paddacks, Parks, Polke, Proffit, Reid, Reynolds, Secrest, Slaughter, Smiley, Steele, Tebbs, Thornton, Vawter, Williams, Wilson and Moore Speaker—40.

And those who voted in the negative are,

Messrs. Angle, Bell, Bonner, Brady, Casey, Cotton, Cox, Crumpton, Finch, Flake, Frame, Grover, Hanna, Hargrove, Heaton, Lane, Lynd, Maxwell, Morris, Moyer, Nelson, Robinson, Rose, Ruddick, Stanford, Stevenson, Wallace, Willet and Wooden—23.

And so said bill passed.

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Hoover,

The committee of the whole to which was committed the bill to incorporate the Lawrenceburgh insurance company were discharged from the further consideration thereof.

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Proffit,

The committee of the whole to which was committed the bill to aid the citizens of Pike county to build a bridge across Patoka and for other purposes, were discharged from the further consideration thereof; and

On motion of Mr. Lane,
The said bill was indefinitely postponed.

On motion of Mr. Casey,
The committee of the whole to which was committed the bill to amend an act entitled "an act to organize and regulate the militia of the State of Indiana," approved February 10, 1831, were discharged from the further consideration thereof.

Mr. Livingston moved to amend the bill so as to provide that the second section of said act be so amended "that the county of Clay shall be attached to and form a part of the 11th brigade, and that the county of Greene shall be attached to and form a part of the 15th brigade, any thing in the said second section of said act to the contrary notwithstanding."

Pending the question on said amendment, it was,

On motion of Mr. Huntington,

Ordered, That said bill and proposed amendment be laid on the table.

On motion of Mr. Clark,

The committee of the whole House to which was committed the bill amendatory of the act organizing circuit courts and defining their powers and duties, approved January 24, 1831, were discharged from the further consideration thereof.

Mr. Lane moved that the further consideration thereof be indefinitely postponed; and

The ayes and noes being requested thereon by Messrs. Lane and Cravens,

Those who voted in the affirmative are,

Messrs. Angle, Baber, Bonner, Brady, Cox, Cravens, Finch, Henderson, Hoover, Lane, Logan, Lynd, Moyer, Paddacks, Parks, Profit, Ruddick, Steele, Willet, Wilson, Wooden and Moore, Speaker—22.

And those who voted in the negative are,

Messrs. Alley, Bell, Casey, Clark, Conner, Cotton, Crume, Crumpton, Culley, Davis, Decker, Durham, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Hargrove, Heaton, Henley, Hite, Huntington, Livingston, Morris, Murray, Nelson, Polke, Reid, Reynolds, Robinson, Rose, Secrest, Slaughter, Smiley, Stanford, Stevenson, Tebbs, Thornton, Vawter, Wallace and Williams—12.

And so said motion was decided in the negative.

On motion of Mr. Profit,

Said bill was amended by annexing to it the following proviso:

"Provided the person in whose favor said judge or judges may be summoned is not able and has not property sufficient to pay such judges for their services as aforesaid."

On motion of Mr. Henley,

Ordered, That said bill do lie on the table.

On motion of Mr. Henley,

The orders of the day were suspended and sundry bills for the incorporation of rail-road companies, together with the report of a select committee upon those bills, under consideration and undetermined on Saturday last, were taken up and considered.

The several amendments reported by said select committee, to the bill to incorporate the Richmond, Eaton and Miami rail-road company were read and agreed to by the House.

On motion of Mr. Henderson,

The said bill was considered as engrossed and read the third time.

And on the question, shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act' and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Culley,

The bill to incorporate the Lawrenceburgh and Indianapolis rail-road company, together with the amendments reported to said bill by said select committee, were laid on the table.

On motion of Mr. Henley,

The first amendment reported by said committee to the bill to incorporate the Ohio and Wabash rail-road company was amended by striking out therefrom the name of "John C. Hubbard of Columbus" and inserting "John Kester of Jackson county."

The said amendment, as amended, and the other amendments reported by said committee to said bill were then agreed to by the House.

On motion of Mr. Ferguson,

The said bill was further amended, by adding the following as an additional section, to wit:

"Sec. That when the aggregate amount of dividend declared, shall amount to the full sum invested and six per cent. per annum interest thereon, the legislature may so regulate the tolls and freights, that not more than fifteen per cent. per annum on the capital shall be divided, and the surplus profits, if any, after paying the expenses and reserving such proportion as may be necessary for future contingencies, shall be paid over to the treasurer of state for the use of common schools; but the corporation shall not be compelled, by any law, to reduce the tolls and freights, so that a dividend of fifteen per centum cannot be made. And it shall be the duty of the corporation to furnish the General Assembly, at each session thereof, with a correct statement of the amount of expenditure and of the amount of profits, after deducting all expenses; which statement shall be made under the oath of the officer whose duty it shall be to make the same."

Ordered, That said bill be engrossed and read a third time to-morrow.

Mr. Livingston moved to recommit the bill to incorporate the New Albany, Salem, Indianapolis and Wabash rail-road company together with the report of said select committee thereon, to a select committee with instructions to amend said bill so as to make Salem and Lafayette points, running through the counties of Lawrence, Monroe, Owen, Putnam, Montgomery and Tippecanoe.

Mr. Davis moved to amend said instructions by striking out all after the word 'Owen,' and inserting in lieu thereof the word 'Sullivan' and by striking out so much thereof as makes Lafayette a point in said rail-road: and

Before a decision was had thereon,

The House adjourned until to-morrow morning 9 o'clock.

TUESDAY MORNING, JANUARY 31, 1832.

The House met pursuant to adjournment.

Mr. Vawter from the committee of ways and means, to which were committed engrossed bills from the Senate, entitled an act, to provide a fund to encourage common schools; and

An act to amend an act, entitled "an act, for assessing and collecting the revenue:" approved Feb. 10, 1831,

And two bills of the House to amend the above recited act;

Reported the first named bill of the Senate with two amendments, and the residue of said bills without amendment.

The first amendment reported by said committee, to the engrossed bill from the Senate first above named was read and agreed to.

Mr. Crume moved to amend the second amendment to said engrossed bill, which provides that the boards doing county business shall assess a tax of \$50, on each licence to vend wooden clocks, by striking out the word "shall" and inserting the word "may."

Which motion was decided in the negative.

The said amendment was then agreed to by the House.

Mr. Cotton moved further to amend said bill, by adding the following as an additional section, viz:

"Sec.——That the boards doing county business in the several counties, shall be authorized, if in their discretion they shall deem the same proper, to lever a tax not exceeding one dollar, for county purposes, on every Dog over one owned or possessed by each individual, resident within their counties."

On motion of Mr. Reid,

Said amendment was amended by inserting the word 'mad' before the word 'dog.'

Mr. Crume moved further to amend said amendment by striking out the words 'mad dog over one,' and inserting in lieu thereof the words 'dog over two.'

Pending the question thereon,

Mr. Cotton asked and obtained leave to withdraw said amendment, and

It was accordingly withdrawn.

Mr. Hoover moved that said amendments be considered as engrossed and the bill be read a third time now, and

And the ayes and noes being requested thereon by Messrs. Henley and Angle,

Those who voted in the affirmative are,

Messrs. Angle, Bonner, Bryant Casey, Cox, Cravens, Crumpton, Culley, Davis, Decker, Durham, Finch, Flake, Frame, Hanna, Hargrove, Harrod, Heaton, Hoover, Huntington, Jones, Lane, Livingston, Logan, Lynd, Maxwell, Morris, Moyer, Murray, Noble, Paddacks, Parks, Peyton, Polke, Reid, Robinson, Rose, Ruddick, Seccrest, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Willet, Williams, Wilson, Wooden and Thornton, Speaker pro tem.—50.

And those who voted in the negative are,

Messrs. Alley, Baber, Bell, Brady, Clark, Conner, Cotton, Crume, Ferguson, Grover, Henderson, Henley, Hite, Mastin, Nelson, and Wallace—16.

And so it was ordered that said amendments be considered as engrossed and the bill read a third time now.

The said bill was then read the third time and passed.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence in the amendment.

On motion of Mr. Wooden,

The residue of the above named bills were indefinitely postponed.

Mr. Davis made the following report:

"The committee on education, to which was referred a resolution of this House, directing them to inquire whether any and if any, what amendment is necessary to the act, entitled "an act, for incorporating Congressional townships, and providing for public schools therein, so as to enable the sub-trustees to obtain a title to sites for school houses, and also to provide for laying off towns on school sections; are of opinion that there is a bill now pending before this body, possessing the necessary provisions and ask to be discharged from the further consideration of the subject."

Ordered, That said committee be discharged accordingly.

Mr. Logan from the committee on claims, to which were referred the several accounts of Basil Brown and of A. W. Reid, against the State;

Reported the following resolutions:

1st. *Resolved*, That the committee of ways and means be directed to allow in the specific appropriation bill, the sum of \$9, to Bazil Brown, for two maps of the State of Indiana, for the use of the House of Representatives.

2d. *Resolved*, That the committee of ways and means, be directed to allow in the specific appropriation bill, to A. W. Read, for making seats and platform in the State House gallery, in 1831, the sum of \$23 60 cents in full of his said account.

The said resolutions were read and concurred in, and ordered to lie on the table.

Mr. Logan from the same committee, to which were referred the accounts of sundry persons, witnesses in the case of an impeachment against A. J. Athon, reported the following resolution:

Resolved, That the committee of ways and means be directed to allow in the specific appropriation bill, to Matthew Borland, Joseph Rawlins, Elbert Jeter, Rollin C. Dewey, Horatio Jeter, William Templeton, Russell Mitchell and William B. Slaughter, the sum of nineteen dollars and seventy five cents each, in full for their attendance as such witnesses at Indianapolis; and that Samuel Chambers be allowed the sum of one dollar and twenty-five cents for one days attendance as a witness in the case of the State, vs. Athon, on impeachment, in full of his attendance.

Said resolution was read and concurred in and ordered to lie on the table.

Mr. Cravens made the following report:

"The select committee to which was recommitted the engrossed bill from the Senate, entitled "an act, to amend an act, entitled an act, regulating the jurisdiction and duties of Justices of the Peace," with four several bills of the same title of the House of Representatives, together with sundry amendments, reported from the judiciary committee on the same subject, have according to order, had the same under consideration, and have directed me to report back the bill of the Senate with sundry amendments thereto, and the several bills of the House of Representatives, without amendment."

The six first amendments, reported by said committee, to the engrossed bill of the Senate above named, were severally read and agreed to.

The seventh amendment to said engrossed bill was read to wit:

By adding to said bill the following as an additional section to be denominated the eleventh section.

"Sec. 11. That no person shall be bound to answer any summons capias or other process, hereafter issued by a Justice of the Peace, in civil cases, in any other township than the one in which the defendant resides, unless there shall be no Justice who can legally issue such summons capias or other process," when,

Mr. Cravens moved to amend said amendment, by striking it out after the first word 'that,' and inserting in lieu thereof the following:

"So much of the act to which this is an amendment, as authorizes the service of process upon any person who may be found out of the township of which he is a resident, unless the contract was made, or the cause of action accrued within the township in which such process issued, be and the same is hereby repealed."

The ayes and noes being requested on said motion to amend by Messrs. Cravens and Lane,

Those who voted in the affirmative are,

Messrs. Bell, Bryant, Conner, Cotton, Cravens, Crume, Crumpton, Culley, Decker, Flake, Frame, Griggs, Grover, Hanna, Harrod, Henderson, Henley, Hoover, Huntington, Jones, Livingston, Lynd, Maxwell, Moyer, Noble, Paddacks, Parks, Reid, Rose, Ruddick, Secrest, Steele, Stevenson, Tebbs, Vawter, Wallace, Wilson and Thornton, Speaker *pro tem.*—38.

And those who voted in the negative are,

Messrs. Alley, Angle, Baber, Bonner, Brady, Casey, Clark, Cox, Davis, Durham, Ferguson, Finch, Hargrove, Heaton, Hite, Lane, Logan, Mastin, Morris, Murray, Nelson, Peyton, Polke, Robinson, Smiley, Stanford, Willet, Williams and Wooden—29.

And so said motion passed in the affirmative.

The said seventh amendment as amended was then agreed to by the House.

On motion of Mr. Morris,

The said bill was further amended by adding the following as an additional section, to wit:

"Sec.———In all cases where any writ is authorized to be issued on Sunday, it shall be lawful for constables or other officers to whom the same may be directed, to serve the same on Sunday."

It was then ordered that said amendments be engrossed and the bill read a third time to-morrow.

On motion of Mr. Hoover,

The other bills mentioned in said report were indefinitely postponed.

The following message was received from the Senate on yesterday by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills entitled 'acts,' which originated in the Senate, of the following titles, viz:

An act to incorporate the Madison and Indianapolis rail-road company,

An act to incorporate the Wabash and Michigan rail-road company,

An act to incorporate the Harrison and Indianapolis rail-road company—and

An act to incorporate the Lawrenceburgh and Indianapolis rail-road company;

In which bills the concurrence of the House of Representatives is requested.

The first, third and fourth of the above named bills were severally three times read, (the rules of the House having first been dispensed with,) and passed.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill secondly in said message named, was twice read (the rules of the House having first been dispensed with, and

On motion of Mr. Stevenson,

The blank in the second section was filled with the name of "Joseph Orr."

The rules of the House were then further dispensed with, and said amendment being considered as engrossed, the bill was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence in said amendment.

The House then proceeded to consider the following message received from the Senate, on yesterday, by Mr. Morris, their Assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills and joint resolutions of the House of Representatives entitled as follows, to wit:

An act to provide for the location of a state road therein named,

An act to establish a state road from Fort Wayne in Allen county to South Bend in St. Joseph county, by way of Goshen in Elkhart county,

An act to locate and open a state road from Napoleon, in Ripley county, to Brookville in Franklin county,

A joint resolution of the General Assembly relative to the Michigan road scrip, (without amendment.)

The Senate has also passed an engrossed bill entitled "an act amendatory of the act entitled an act for the incorporation of towns," approved February 10, 1831;

In which bill of the Senate the concurrence of the House of Representatives is requested.

The Senate concur in the amendment proposed by the House of Representatives to the joint resolution of the Senate, on the subject of the United States' bank.

The engrossed bill from the Senate named in said message,
Was read the first, second and third times, (the rules of the House having first been dispensed with,) and passed.

Ordered, That the Clerk inform the Senate thereof.

The House then proceeded to consider the orders of the day.

The engrossed bill from the Senate supplementary to an act to authorize the agent of State for the town of Indianapolis, to lay off the land belonging to the State into lots, and offer the same to sale, approved February 9, 1831;

Was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill declaring certain offices incompatible, was read the third time;

Mr. Parks moved to recommit it to a select committee, with instructions to strike out so much thereof as has reference to Post-masters.

Mr. Brady moved to amend said instructions so as to extend the prohibitions of the bill to mail contractors and United States' road commissioners, and

Before the question was put,

Mr. Brady withdrew said motion.

The question was then put upon a recommitment as proposed by Mr. Parks;

And decided in the negative.

Mr. Bryant moved to recommit the bill to a select committee with instructions to strike out the word 'ninth,' and insert in lieu thereof the word 'eleventh,' in that part of the bill designating a certain article of the constitution.

Which motion was decided in the negative.

Mr. Davis moved to recommit the bill to a select committee with instructions to include all other offices that are constitutionally incompatible;

Which motion was decided in the negative.

It was then,

On motion of Mr. Bryant.

Ordered, That said bill do lie on the table.

And then the House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Morris moved that the orders of the day be suspended and that the bills on their third reading be taken up;

Which motion was decided in the negative.

Mr. Hoover from the joint committee on enrolled bills, reported that they did on this day present to the Governor for his approval and signature the following bills entitled 'acts,' to wit:

An act to repeal an act entitled 'an act to repeal an act therein named and approved January 29th, 1831, and for other purposes.

An act to amend an act entitled "an act to encourage the killing of wolves, approved February 10th, 1831.

An act legalizing the proceedings of the board of commissioners of St. Joseph county.

An act to legalize the proceedings of David Miller.

An act changing the boundary line between the counties of Elkhart and St. Joseph.

An act for the benefit of Lawson Brent, William Anderson and others.

An act for the relief of Curtis Smith.

An act granting relief to the contractors on the Michigan road.

An act to provide for the location of a State road from the West bank of the Wabash river, opposite the public square in the town of Montezuma to the State line, in the direction of Judge Lowry's farm.

An act supplemental to an act entitled "an act to establish a State road from Richmond in Wayne county to Fort Wayne.

An act to locate a State road from Terre-Haute by way of Rockville to Crawfordsville.

An act to legalize the election of trustees for the Presbyterian congregation in the town of Evansville.

An act regulating the sales of the canal lands and for other purposes.

An act to amend the act entitled an act respecting salines and saline reserves, approved February 4th, 1831:

An act for the relief of Thomas Craner.

An act to locate a State road from Montezuma to Crawfordsville.

An act to incorporate the town of Washington in Daviess county.

An act to authorize a special session of the board of commissioners of Bartholomew county, for the purpose of selecting grand and petit jurors for the March term of the Circuit Court for said county in the year 1832.

An act to amend an act entitled an act to locate a State road from New Castle in Henry county to Milton in Wayne county.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills and joint resolution of the House of Representatives entitled as follows, viz

An act to amend an act entitled 'an act relative to county boundaries,' approved February 10, 1831,

An act to relocate a part of the state road leading from Greencastle to Russellville, and

A joint resolution supplemental to the joint resolution on the subject of the printing of the acts, memorials and joint resolutions of the present General Assembly;

The first without, the two latter named bills with amendments to each.

The Senate has also passed an engrossed bill of the Senate entitled,

An act to incorporate the Ohio and Lafayette rail-road company, and

A joint resolution to ascertain the number and expense of paupers in this State,

In which bill and joint resolution of the Senate and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The amendments proposed by the Senate to the engrossed bill and joint resolution of the House above named, were read and agreed to;

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill from the Senate named in said message, was twice read, (the rules of the House having first been dispensed with,)

When

Mr. Henley moved to commit it to a select committee;

Which motion was decided in the negative.

Ordered, That said bill be read a third time to morrow.

The engrossed joint resolution from the Senate named in said message, was read the first time;

Mr. Hoover moved to reject it; and

The ayes and noes being requested by Messrs. Noble and Proffit,

Those who voted in the affirmative are,

Messrs. Baber, Bell, Brady, Bryant, Casey, Clark, Conner, Cox, Cravens, Crumpton, Davis, Ferguson, Finch, Flake, Frame, Gardner, Griggs, Grover, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Jones, Lane, Logan, Lynd, Mastin, Murray, Paddicks, Parks, Payto, Polke, Robinson, Secrest, Smiley, Stanford, Steele and Wood-

And those who voted in the negative are,

Messrs. Alley, Bonner, Cotton, Crume, Culley, Decker, Durham, Hanna, Hargrove, Huntington, Livingston, Maxwell, Morris, Moyer, Nelson, Noble, Proffit, Reid, Rose, Ruddick, Stevenson, Tebbs, Vawter, Wallace, Williams, Wilson and Thornton, Speaker pro tem.
—27.

An so said said joint resolution was rejected.

On motion of Mr. Williams,

The orders of the day were suspended for the purpose of considering the bill to incorporate the New Albany, Salem, Indianapolis and Wabash rail-road company, and the report of the select committee thereon,

Mr. Livingston withdrew his motion to recommit said bill and report to a select committee with instructions.

The several amendments reported by said select committee to said bill were read and agreed to.

On motion of Mr. Williams,

The said bill was considered as engrossed and read the third time.

And on the question, shall the bill pass?

It was carried in the affirmative.

Ordered, That said bill be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Ferguson,

The orders of the day were further suspended for the purpose of considering the engrossed bill to incorporate the Ohio and Wabash rail-road company.

The said bill was then read the third time and passed.

Ordered, That it be entitled an 'act,' and that the clerk carry it to the Senate and ask their concurrence.

The House then resumed the consideration of the orders of the day.

On motion of Mr. Stevenson,

The committee of the whole to which was committed the bill to attach a part of the county of Putnam to the county of Clay, were discharged from the further consideration thereof.

Mr. Peyton moved to strike out from that part of said bill descriptive of the detached territory, these words "four miles east, thence three miles" and to insert in lieu thereof the following "two miles east, thence two miles south, thence two miles east, thence one mile south."

Mr. Stevenson called for a division of the question; and

Before the first branch thereof was put,

Mr. Secrest moved that the further consideration of said bill and proposed amendment be indefinitely postponed.

The ayes and noes being requested thereon, by Messrs. Secrest and Stevenson,

Those who voted in the affirmative are,

Messrs. Angle, Baber, Bryant, Clark, Cravens, Crumpton, Culley, Decker, Durham, Finch, Frame, Griggs, Grover, Hanna, Heaton, Henderson, Lane, Livingston, Logan, Lynd, Morris, Moyer, Noble, Paddacks, Polke, Proffit, Robinson, Rose, Ruddick, Secrest, Smiley, Steele, Stevenson, Wallace, Wilson and Thornton, Speaker pro tem.
—36.

And those who voted in the negative are,

Messrs. Alley, Bonner, Brady, Conner, Cotton, Cox, Crume, Davis, Flake, Gardner, Hargrove, Harrod, Hite, Hoover, Jones, Mastin, Murray, Parks, Peyton, Reid, Stanford, Tebbs, Vawter, Williams, and Wooden—25.

And so the further consideration of said bill and proposed amendment was indefinitely postponed.

On motion of Mr. Lane,

The committee of the whole House to which was committed, the bill to divorce Lydia Booker from her husband Richard M. Booker were discharged from the further consideration thereof.

On motion of Mr. Parks,

The said bill was laid on the table.

On motion of Mr. Robinson,

The committee of the whole to which was committed the bill to authorize and require the Seminary trustee of the county of Ripley, and the treasurer of the library of said county, to loan certain funds within their control to the board of commissioners of said county, were discharged from the further consideration thereof.

On motion of Mr. Robinson,

The said bill was amended by inserting the words "not less than" before the words "six per cent."

On motion of Mr. Robinson,

The said bill was considered as engrossed and read the third time;

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered. That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Wooden,

The committee of the whole House to which was committed the bill to legalize the proceedings of the school trustees of Congress-

at township No. 9, North of Range 4 West in Owen county, were discharged from the further consideration thereof.

On motion of Mr. Wooden,

The said bill was amended by inserting the words "or may have failed to give bond" after the words "qualified themselves according to law."

The said bill was then,

On motion of Mr. Wooden,

Considered as engrossed, read the third time and passed.

Ordered, That it be entitled an 'act,' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Steele,

The committee of the whole to which was committed the bill to aid the citizens of Dearborn county to build a bridge across the South fork of Hogan creek, on the road leading from Napoleon to Aurora, at or near the crossing of the present road, on the land of Martin Cozine, were discharged from the further consideration thereof.

On motion of Mr. Steele,

Ordered, That said bill do lie on the table.

On motion of Mr. Ferguson,

The committee of the whole to which were committed two bills amendatory of the act for assessing and collecting the revenue, approved February 10, 1831, were discharged from the further consideration thereof.

On motion of Mr. Henley,

Said bills were indefinitely postponed.

On motion of Mr. Lane,

The committee of the whole to which was committed the bill to amend the "act for assessing and collecting the revenue," approved February 10, 1831, were discharged from the further consideration thereof.

On motion of Mr. Decker,

Said bill was indefinitely postponed.

On motion of Mr. Bryant,

The committee of the whole to which was committed the engrossed bill from the Senate requiring certain public officers to give additional security were discharged from the further consideration thereof.

On motion of Mr. Bryant,

The said bill was read the third time.

And on the question,

'Shall the bill pass?'

It was carried in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate concurs in all the amendments proposed by the House of Representatives to the engrossed bills of the Senate entitled

An act to incorporate the Wabash and Michigan rail-road company.

An act supplementary to an act, to authorize the Agent of State for the town of Indianapolis, to lay off the land belonging to the State, into lots and offer the same for sale; approved Feb. 9, 1831,

And,

An act to provide a fund to encourage common schools; except the second amendment proposed to the latter named bill, and to this amendment the Senate disagree.

On motion of Mr. Crume,

The House receded from their said second amendment to the last above named bill.

Ordered, That the clerk inform the Senate thereof.

Mr. Robinson moved to re-consider the vote taken this day on the indefinite postponement of the bill to amend the "act for assessing and collecting the revenue," approved Feb. 10, 1831.

Which motion was decided in the negative.

On motion of Mr. Maxwell,

The committee of the whole, to which were committed the engrossed bill from the Senate, to prohibit the circulation of bank notes of a denomination less than \$5, and

Sundry petitions on that subject, were discharged from the further consideration thereof.

Mr. Brady moved that the further consideration of said bill be indefinitely postponed, and

The ayes and noes being requested thereon, by Messrs. Brady and Flake,

Those who voted in the affirmative are,

Messrs. Alley, Bell, Brady, Bryant, Cotton, Cox, Crume, Ferguson, Finch, Griggs, Grover, Hanna, Heaton, Henderson, Henley, Hite, Jones, Livingston, Logan, Mastin, Nelson, Noble, Reid, Rose, Stanford, Steele and Vawter—27.

And those who voted in the negative are,

Messrs. Angle, Baber, Bonner, Casey, Clark, Conner, Cravens, Crumpton, Culley, Davis, Decker, Durham, Flake, Frame, Gardner, Hargrove, Harrod, Hoover, Huntington, Lane, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Peyton, Polke, Proffit, Robinson, Ruddick, Seacrest, Smiley, Stevenson, Tebbis, Wallace, Williams, Wilson, Wooden and Thornton, Speaker pro tem.—40.

And so said motior was decided in the negative.

Mr. Grover moved to amend the bill by striking out the word 'five' before the word 'dollars' and inserting the word 'three.'

A division of the question being called for,

It was put on striking out,

And decided in the negative.

On motion of Mr. Lane,

The said bill was read the third time.

And on the question,

Shall the bill pass?

The ayes and noes being requested by Messrs. Steele and Huntington,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Casey, Clark, Conner, Cravens, Crumpton, Culley, Davis, Decker, Durham, Flake, Gardner, Hargrove, Harrod, Hoover, Huntington, Lane, Logan, Maxwell, Morris, Moyer, Murray, Paddacks, Parks, Peyton, Polke, Proffit, Robinson, Ruddick, Secrest, Smiley, Stevenson, Tebbs, Wallace, Williams, Wilson, Wooden and Thornton, Speaker pro tem.—39.

And those who voted in the negative are,

Messrs. Alley, Bell, Brady, Bryant, Cotton, Cox, Crume, Ferguson, Finch, Frame, Griggs, Grover, Hanna, Heaton, Henderson, Henley, Hite, Jones, Livingston, Mastin, Nelson, Noble, Reid, Rose, Stanford, Steele and Vawter—27.

And so said bill passed.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Hoover,

The committee of the whole, to which was committed the engrossed bill from the Senate to authorize the Agent of State, for the town of Indianapolis to purchase a fire engine;

Was discharged from the further consideration thereof.

Mr. Hoover moved that the further consideration of said bill be indefinitely postponed;

And the ayes and noes being requested thereon, by Messrs. Brady and Cravens.

Those who voted in the affirmative are,

Messrs. Alley, Angle, Baber, Bonner, Bryant, Clark, Cotton, Cravens, Crumpton, Culley, Decker, Durham, Ferguson, Finch, Flake, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Hite, Hoover, Jones, Lane, Livingston, Logan, Moyer, Murray, Noble, Paddacks, Parks, Polke, Reid, Robinson, Ruddick, Secrest, Smiley, Stanford, Stevenson, Tebbs, Vawter, Wallace, Wilson and Wooden—46.

And those who voted in the negative are,

Messrs. Brady, Casey, Conner, Cox, Crume, Davis, Frame, Gardner, Henley, Huntington, Mastin, Maxwell, Morris, Nelson, Peyton, Proffit, Rose, Steele, Williams and Thornton, Speaker pro tem.—20.

And so the further consideration of said bill was indefinitely postponed.

On motion of Mr. Lane,

The committee of the whole, last named was discharged from the further consideration of the bill to provide for obtaining an insurance on the property of the State, in the town of Indianapolis, and

On motion of Mr. Hargrove,

The said bill was indefinitely postponed.

On motion of Mr. Hoover,

The committee of the whole House, to which was committed, the engrossed bill from the Senate, to re-locate a part of the state road from New Castle to Lafayette, were discharged from the further consideration thereof;

The said bill was then read the third time and passed.

Ordered, That the Clerk inform the Senate thereof

On motion of Mr. Williams;

The committee of the whole, to which was committed the bill to provide for the location of a road from New Albany to Jeffersonville, were discharged from the further consideration thereof.

On motion of Mr. Williams,

The first blank in the first section, was filled with the name of "Isaac Stewart."

On motion of Mr. Ferguson,

The second blank in said section, was filled with the name of "Aaron Applegate."

On motion of Mr. Williams,

The said bill was considered as engrossed and read the third time, And on the question, Shall said bill pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Clark,

The committee of the whole, to which was committed the bill, for the more permanent establishing of the line dividing the counties of Vermillion and Warren;

Were discharged from the further consideration thereof.

Mr. Gardner moved to amend the bill, by striking it out from the enacting clause, being in the words following to wit:

"That the line dividing the counties of Vermillion and Warren, shall be as follows, to wit; beginning on the Wabash river, at the

line dividing townships No. 19 and 20, in range 9, thence on said line, west to the state line; any thing in the act entitled "an act, regulating county boundaries," to the contrary notwithstanding,"

And by inserting in lieu thereof the following:

"That the boards doing county business, in Vermillion and Warren counties, be and they are hereby authorized to appoint one suitable person in their respective counties, to examing and mark the line between said counties, by an actual survey, and make out their report under their hand and seal, describing the commencement and termination of said line.

Sec. 2d. That said persons appointed as aforesaid, shall forward their proceedings to the boards in each county, and the Clerk of each county shall seal up and transmit to the Speaker of the House of Representatives, of the next General Assembly, a true copy of their proceedings as returned by the said persons appointed as aforesaid.

Sec. 3d. The boards doing county business, as aforesaid shall respectively make the persons employed, such compensation as they may deem just and reasonable, together with all necessary expenses by them incurred, to be paid out of the county treasuries of the counties aforesaid. This act to be in force from and after its passage."

Before the question was put thereon,

Mr. Gardner moved to lay said bill and proposed amendment on the table, and

The ayes and noes being requested thereon by Messrs. Clark and Hite.

Those who voted in the affirmative are,

Messrs. Angle, Bonner, Bryant, Casey, Cravens, Crumpton, Decker, Frame, Gardner, Grover, Hargrove, Henderson, Hite, Hoover, Huntington, Lane, Livingston, Maxwell, Morris, Moyer, Paddacks, Parks, Peyton, Polke, Proffit, Rose, Stanford, Steele, Tebbs, Vawter, Wilson and Thornton, Speaker pro tem.—32.

And those who voted in the negative are,

Messrs. Alley, Baber, Brady, Clark, Conner, Cotton, Davis, Finch, Flake, Harrod, Heaton, Henley, Mastin, Murray, Nelson, Ruddick, Secrest, Smiley, Stevenson, Wallace, Williams, and Wooden—22.

And so it was,

Ordered, That said bill and proposed amendment be laid on the table.

And then the House adjourned until to-morrow morning 9 o'clock.

WEDNESDAY MORNING, FEBRUARY 1, 1882.

The House met pursuant to adjournment.

On motion of Mr. Cravens,

Ordered, That Messrs. Durham and Logan have leave of absence from the service of the House from this day for and during the remainder of the present session.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the House of Representatives, entitled 'acts,' as follows, to wit:

An act changing the southern boundary of Elkhart county.

An act to amend the act entitled an act to appropriate part of the three per cent. fund and for other purposes, approved February 10, 1831.

An act to establish a State road from Fredericksburgh in Washington county to Terre-Haute in Vigo county.

An act to locate a State road from Bloomington via Leesville and Spark's ferry to intersect the Mauk's ferry State road, at or near William Logan's in the county of Washington.

An act to locate a State road from New Albany to Lexington.

An act to provide for selling the Michigan road lands to open that part of the Michigan road between Logansport and Lake Michigan and for other purposes, and

An act to incorporate the New Albany insurance company;

The first five of said named bills without, and the two latter with amendments.

The Senate has also passed engrossed bills of the Senate entitled 'acts,' as follows, to wit:

An act for the relief of John Alloway, John Harvey and Archibald M'Ewen, and

An act for the inspection of certain articles therein enumerated;

In which bills of the Senate, and the amendments proposed to the bills of the House the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the engrossed bills of the House named in said message were read and agreed to.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill of the Senate first named in said message was twice read (the rules of the House having first been dispensed with.)

When

Mr. Morris moved that it be laid on the table.

The ayes and noes being requested thereon by Messrs. Morris and Tebbs,

Those who voted in the affirmative are,

Messrs. Angle, Bell, Conner, Finch, Hargrove, Maxwell, Morris, Moyer, Parks, Tebbs and Thornton, Speaker *pro tem.*—11.

And those who voted in the negative are,

Messrs. Alley, Baber, Bonner, Brady, Bryant, Casey, Clark, Cox, Cravens, Crume, Crumpton, Culley, Davis, Decker, Ferguson, Flake, Frame, Gardner, Griggs, Grover, Hanna, Harrod, Heaton, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Lynd, Mastin, Murray, Nelson, Noble, Polke, Proffit, Reid, Reynolds, Robinson, Rose, Ruddick, Secrest, Slaughter, Smiley, Stanford, Steele, Stevenson, Vawter, Wallace, Willet, Williams, Wilson and Wooden—55.

And so said motion was decided in the negative.

On motion of Mr. Lane,

The rules of the House were further dispensed with and the bill was read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The engrossed bill of the Senate last named in said message was read the first time, and

On motion of Mr. Hoover,

The same was rejected.

The House then proceed to consider the orders of the day.

Engrossed bills and joint resolutions, viz:

A joint resolution of the General Assembly concerning public lands,

A bill to incorporate the Lawrenceburgh insurance company, and

A bill repealing the 10th section of an act relating to county seminaries, approved February 4, 1831, and for other purposes,

Were severally read the third time and passed.

Ordered, That said bills be entitled acts' and that the clerk carry them together with said joint resolution to the Senate and ask their concurrence.

Engrossed bills and joint resolution from the Senate of the following titles, to wit:

A joint resolution to ascertain the terms upon which means may be procured to secure to Indiana her share of the revenue to accrue from the erection of a bridge across the Ohio river at the falls.

An act supplemental to an act, entitled "an act to regulate general elections;" approved Jan. 30, 1831.

An act to amend the act, entitled "an act to regulate the jurisdiction and duties of Justices of the Peace;" approved Feb. 10, 1831.

And,

An act to incorporate the Ohio and Lafayette rail road Company.

Were severally read the third time and passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence in the amendments made by the House to the two first named bills.

The engrossed bill concerning lotteries was read the third time.

Mr. Hite moved to lay it on the table,

Which motion was decided in the negative,

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence,

Mr. Huntington from the Judiciary committee, presented a bill to amend the "act, organizing the Supreme court, and defining its powers and duties;" approved Jan. 7, 1831;

Which was three times read, (the rules of the House having first been dispensed with) and passed.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Clark,

The bill for the more permanent establishing of the line dividing the counties of Vermillion and Warren, laid on the table yesterday, was taken up.

The question recurred on the amendment proposed by Mr. Gardner,

And being put,

It passed in the affirmative.

On motion of Mr. Wooden,

The said bill was considered as engrossed and read the third time.

And on the question,

Shall it pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Hanna,

Ordered, That Mr. Murray have leave of absence from the service of the House, during the remainder of the present session.

Mr. Speaker laid before the House, an account of A. Williams against the State, for services and materials, done and furnished,

And an account of sundry persons, witnesses in the case of the State vs. Young L. Hughes, on impeachment.

Which were severally read and referred to the committee on claims.

On motion of Mr. Lane,

The House proceeded to consider bills, in committee of the whole House.

On motion of Mr. Proffit,

The committee of the whole, to which was committed the bill, providing for draining the swamps, ponds, marshes and other low lands, in the county of Tippecanoe; were discharged from the further consideration thereof.

On motion of Mr. Nelson,

The bill was amended by extending its provisions to the counties of Montgomery and Clinton;

On motion of Mr. Clark,

It was further amended, by including in its provisions the county of Warren.

Ordered, That said bill be engrossed and read a third time tomorrow.

On motion of Mr. Secrest,

The committee of the whole to which was committed the bill to aid the citizens of Putnam county, to build a bridge across Big Race Creek, were discharged from the further consideration, and

On motion of Mr. Wooden,

Said bill was laid on the table.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the House of Representatives entitled as follows, to-wit:

An act for the relief of Samuel Smith.

An act for the formation of the county of La Grange.

An act to amend and restrict the charter of the Madison Insurance Company.

An act to revive a certain state road therein named and for other purposes.

An act establishing the counties of Huntington, Wabash and Miami. The first three named bills without, and the two latter with amendments.

The Senate has passed engrossed bills of the Senate entitled,

An act explanatory of the law of evidence in certain cases; and

An act to amend the act organizing the supreme court and defining its powers and duties, approved January 17, 1831.

In which bills of the Senate, and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate, to the first above named bill of the House, were read and disagreed to, and their amendments to the second named bill of the House, were agreed to by the House.

Ordered, That the clerk inform the Senate thereof

The engrossed bill of the Senate, first named in said message, was twice read, (the rules of the House having first been dispensed with,)

When,

Mr. Henley moved to amend the same by adding thereto the following:

"This act to take effect and be in force from and after its publication in the Indiana Democrat."

Before the question was put,

Mr. Henley withdrew said amendment.

On motion of Mr. Hoover.

The rules of the House were further dispensed with and said bill was read the third time.

And on the question, shall the bill pass?

The ayes and noes being requested by Messrs. Lane and Henderson,

Those who voted in the affirmative are,

Messrs. Alley, Baber, Bryant, Clark, Conner, Cox, Cravens, Crume, Culley, Davis, Dec er, Ferguson, Flake, Gardner, Griggs, Hargrove, Harrod, Henderson, Henley, Hite, Hoover, Huntington, Jones, Lane, Livingston, Mastin, Morris, Noble, Padducks, Parks, Peyon, Polke, Proffit, Reid, Reynolds, Secrest, Slaughter, Smiley, Steele, Tebbs, Vawter, Willet, Williams, Wilson and Thornton, Speaker pro tem.—43.

And those who voted in the negative are,

Messrs. Angle, Bonner, Brady, Crumpton, Finch, Grover, Hanna, Harrod, Lynd, Maxwell, Moyer, Nelson, Robinson, Rose, Ruddick, Stanford, Stevenson and Wallace—18.

And so said bill passed.

The bill of the Senate last named in said message was three times read (the rules of the House having first been dispensed with) and passed.

Ordered, That the clerk inform the Senate thereof.

On motion of Mr. Davis,

The vote taken this day, on the passage of the bill of the House, to amend the "act organizing the supreme court and defining its powers and duties," approved January 7, 1831, was reconsidered; and

On motion of Mr. Davis,

The said bill was indefinitely postponed.

The House adjourned until 2 o'clock P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Vawter,

The orders of the day were for the present suspended for the purpose of offering a resolution: when

Mr. Vawter moved the following resolution:

Resolved, That this House will, on to morrow at 2 o'clock, P. M. proceed to the election of a Michigan road commissioner (the Senate concurring) that the Senate be informed of the adoption of this resolution and requested to reciprocate the same.

Mr. Henley moved to amend said resolution, by striking out the words "two o'clock, P. M.," and inserting "six o'clock, P. M."

Mr. Davis proposed "ten o'clock, A. M."

The question was put upon the motion of Mr. Henley,

And decided in the negative.

The time mentioned in said resolution was then agreed to and the resolution adopted.

On motion of Mr. Crume,

The several orders of the day which precede the bill making specific appropriations for the year 1832 were for the present postponed.

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein the Speaker resumed the chair and Mr. Steele reported the same with sundry amendments;

Which were read and agreed to by the House.

Ordered, That said bill be engrossed and read a third time to-morrow.

On motion of Mr. Hanna,

Ordered, That Mr. Crumpton have leave of absence from the service of the House for and during the remainder of the session.

A message from the Governor by Mr. Griffith his private secretary, notifying that he has approved and signed bills originating in the House of the following titles, viz:

An act to legalize the proceedings of David Miller.

An act changing the boundary line between the counties of Elkhart and St. Joseph.

An act to repeal an act entitled 'an act to repeal an act therein named and approved January 29th, 1831, and for other purposes.

An act legalizing the proceedings of the board of commissioners of St. Joseph county.

An act regulating the sales of the canal lands and for other purposes.

An act to incorporate the town of Washington in Daviess county.

An act granting relief to the contractors on the Michigan road.

An act to amend an act entitled an act to locate a State road from New Castle in Henry county to Milton in Wayne county.

An act for the benefit of Lawson Brent, William Anderson and others.

An act to amend the act entitled an act respecting salines and saline reserves, approved February 4th, 1831:

An act for the relief of Curtis Smith.

An act to locate a State road from Terre-Haute by way of Rockville to Crawfordsville; and

An act to legalize the election of trustees for the Presbyterian congregation in the town of Evansville.

On motion of Mr. Lane,

The committee of the whole House to which was committed the bill of the House to ratify and confirm an act of the legislature of the State of Kentucky incorporating a company to build a bridge across the Ohio river at the Falls, were discharged from the further consideration thereof; and

On motion of Mr. Lane,

Said bill was indefinitely postponed.

On motion of Mr. Hoover,

The committee of the whole, to which was committed the bill relative to wharves, ferries, &c.

Were discharged from the further consideration thereof, and

On motion of Mr. Lane,

The said bill was indefinitely postponed.

On motion of Mr. Maxwell,

The committee of the whole, to which was committed the bill, to extend the powers of the Hanover Academy;

Were discharged from the further consideration thereof.

The said bill was then considered as engrossed, read the third time and passed.

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Henley,

The committee of the whole, to which was committed the bill to amend an act, entitled "an act, to establish a College in the State of Indiana;" approved Jan. 24, 1828;

Were discharged from the further consideration thereof.

Mr. Reid moved to postpone the further consideration of said bill, indefinitely;

Which motion was decided in the negative.

On motion of Mr. Henley,

Said bill was amended by inserting the words "vacancy or;" before the word "vacancies" wherever it occurs.

On motion of Mr. Cravens,

The said bill was considered as engrossed, read the third time and passed.

Ordered, That it be entitled 'an act,' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Clark,

The committee of the whole, to which was committed the bill to locate a state road from Parish's Grove, to the State line in a direction to the rapids of the Illinois, at the terminating point of the Illinois canal;

Were discharged from the further consideration thereof.

On motion of Mr. Clark,

Said bill was considered as engrossed and read the third time;

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Brady,

The committee of the whole, to which was committed the bill, to authorize the erection of a mill dam across White river, were discharged from the further consideration thereof.

Mr. Wooden moved to lay said bill on the table,

Which motion was decided in the negative.

Mr. Brady moved to amend the same by adding the following, as an additional section:

"Sec. ——— And be it further enacted that the said Jeremiah Murney and Joshua Evilsizer their heirs or assigns as the case may be previous to their constructing said mill dam, shall file in the office of the Secretary of State, a Bond in the penal sum of four thousand dollars, payable to the State of Indiana, with at least two freehold securities, to be approved of by the Circuit court of Morgan county, and a copy thereof, recorded in the Clerks office of said county, conditioned for the faithful construction of a good and sufficient lock and slope, at least twenty feet wide, so that boats and water crafts may pass with perfect safety."

Before the question was put thereon,

Mr. Brady moved that the further consideration of said bill and proposed amendment be indefinitely postponed.

And the ayes and noes being requested thereon by Messrs. Wooden and Hite,

Those who voted in the affirmative are,

Messrs. Baber, Bonner, Brady, Bryant, Casey, Cravens, Hite, Hoover, Jones, Lynd, Maxwell, Morris, Moyer, Paddacks, Parks,

Reid, Slaughter, Smiley, Steele, Stevenson, Vawter, Wilson and Wooden—23.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Clark, Cox, Crume, Culley, Davis, Finch, Flake, Frame, Gardner, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Huntington, Lane, Mastin, Nelson, Peyton, Polke, Proffit, Reynolds, Robinson, Rose, Ruddick, Secrest, Stanford, Tebbs, Wallace, Willet, Williams and Thornton, Speaker pro tem.—38.

And so said motion was decided in the negative.

The question recurred on the amendment proposed by Mr. Brady, And being put,
It was decided in the negative.

On motion of Mr. Lane,
The said bill was considered as engrossed and read the third time, And on the question,
Shall the bill pass?
The ayes and noes being requested thereon, by Messrs. Vawter and Flake,

Those who voted in the affirmative are,

Messrs. Alley, Angle, Bell, Clark, Conner, Cox, Crume, Culley, Davis, Finch, Flake, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Harrod, Heaton, Henderson, Henley, Huntington, Lane, Mastin, Nelson, Peyton, Polke, Proffit, Reynolds, Robinson, Rose, Ruddick, Secrest, Tebbs, Willet and Williams—36.

And those who voted in the negative are,

Messrs. Baber, Bonner, Brady, Bryant, Casey, Cravens, Hite, Hoover, Jones, Lynd, Maxwell, Morris, Moyer, Paddacks, Parks, Reid, Slaughter, Smiley, Steele, Stevenson, Vawter, Wallace, Wilson, Wooden and Thornton, Speaker pro tem.—25.

And so said bill passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the H. Representatives, entitled 'acts,' as follows, to wit:

An act to authorize the location of a State road from Bellefontaine

road on the Ohio State line, to the Northern boundary line of Indiana, in the direction to White Pigeon in the Michigan territory.

An act to provide for the location of a road from New Albany to Jeffersonville.

An act to amend the act entitled an act allowing and regulating the writ of ad quod damnum, approved December 20, 1825; and

An act to authorize and require the Seminary trustees of the county of Ripley, and the treasurer of the library of Ripley county, to loan certain money within their control; the first two and the last without, and the third named with amendments.

The Senate concur in the amendment proposed by the House of Representatives, to the engrossed bill of the Senate entitled "an act to establish a State road from Greensburgh in Decatur county, to Noblesville in Hamilton county, with amendments.

In which amendments to said proposed amendment and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the bill of the House thirdly in said message named, and the amendments proposed by the Senate to the amendment of the House to the engrossed bill of the Senate named in said message, were severally read and agreed to.

Ordered, That the Clerk inform the Senate thereof.

The House resolved itself into a committee of the whole on the bill to amend the act entitled "an act to establish a State road from William Connely's in Lawrence county to Greencastle in Putnam county, and after some time spent therein the Speaker resumed the chair and Mr. Huntington reported the same with one amendment;

Which was read and agreed to by the House.

On motion of Mr. Wooden,

The said bill was considered as engrossed and read the third time.

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That said bill be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with the engrossed bills and joint resolutions, entitled as follows:

An act to locate a State road from Greensburgh, by way of Goshen, to Columbus.

An act to provide for the location of a State road therein named.

An act to provide for the location of a State road therein named.

An act to locate a State road from Napoleon in Ripley county to Brookville in Franklin county.

An act to establish a State road from Fort Wayne in Allen county to South Bend in St. Joseph county, by way of Gocan in Elkhart county.

An act to provide a suitable compensation for non-resident witnesses in criminal cases.

An act to incorporate the Greenwood education society.

An act amendatory of the act entitled an act for the incorporation of towns, approved February 10th, 1831.

A joint resolution of the General Assembly of the State of Indiana to authorize and require the fund set apart for the improvement of the Wabash river to be loaned to the canal fund.

An act to relocate a part of the State road leading from Greencastle to Russellville.

An act to provide for the erection of a State House.

An act to amend the act entitled act relative to county boundaries, approved February 10th, 1831.

An act to authorize John Elliott and Isam Pucket to convey certain property therein named.

An act for the benefit of Jacob Whiting.

An act for the relief of John Jones.

A joint resolution for the benefit of William Polke and others.

An act to amend an act entitled an act to appropriate a part of the three per cent. fund and for other purposes, approved February 10th, 1831.

A joint resolution of the General Assembly of the State of Indiana relative to Michigan road scrip.

A memorial and joint resolution of the General Assembly of the State of Indiana to procure means for the construction of a canal to connect White river with the Wabash.

A joint resolution supplemental to the joint resolution on the subject of the printing of the acts, memorials and joint resolutions of the present General Assembly.

A joint resolution on the subject of the United States bank;

And find the same truly enrolled.

When the Speaker signed said bills and joint resolutions.

Ordered, That the clerk carry them to the Senate for the signature of their President.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the House of Representatives entitled acts, as follows, to wit:

An act to incorporate the Brownstown manufacturing company.

An act to incorporate the Fredonia school society in Crawford County, without amendment.

An act to relocate a part of the Lawrenceburgh and Rushville State road, in Rush county, with amendment.

In which amendments the concurrence of the House of Representatives is requested.

The Senate concurs in the amendment proposed by the House of Representatives to the engrossed bill of the Senate entitled an act supplemental to an act entitled an act to regulate general elections, approved January 30, 1831.

The Senate recede from their amendments to the engrossed bill of the House of Representatives, to revive a certain State road therein named and for other purposes.

The amendment proposed by the Senate to the bill of the House thirdly in said message named was read and agreed to.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Henley,

The committee of the whole House to which was committed, the bill to amend the act entitled "an act for the prevention of frauds and perjuries," approved January 24, 1831, were discharged from the further consideration thereof; and

On motion of Mr. Lane,

The said bill was indefinitely postponed.

On motion of Mr. Hanna,

The committee of the whole to which was committed the bill to authorize David Conner to erect a mill dam across the Mississinewa river were discharged from the further consideration thereof.

Ordered, That said bill be engrossed and read a third time tomorrow.

On motion of Mr. Hoover,

The committee of the whole to which was committed the joint resolution relative to the Governor's house, were discharged from the further consideration thereof.

On motion of Mr. Hoover.

Said said joint resolution was indefinitely postponed.

On motion of Mr. Slaughter,

The committee of the whole to which was committed the bill to attach a part of the county of Harrison to the county of Floyd were discharged from the further consideration thereof.

Mr. Slaughter moved that the further consideration thereof be indefinitely postponed; and

The ayes and noes being requested thereon by Messrs. Williams and Secret,

Those who voted in the affirmative are,

Messrs. Baber, Bryant, Casey, Conner, Cravens, Culley, Ferguson, Finch, Flake, Henderson, Henley, Hite, Hoover, Jones, Lynd, Morris, Moyer, Paddacks, Parks, Polke, Proffit, Reid, Robinson, Riddick, Secrest, Slaughter, Smiley, Steele, Stevenson, Vawter, Wallace and Willet—32.

And those who voted in the negative are,

Messrs. Alley, Bell, Brady, Clark, Cox, Crume, Davis, Decker, Frame, Gardner, Griggs, Grover, Hanna, Hargrove, Heaton, Huntington, Mastin, Maxwell, Nelson, Peyton, Reynolds, Rose, Stanford, Tebbs, Thornton, Williams, Wilson, Wooden and Moore Speaker—28.

And so the further consideration of said bill was indefinitely postponed.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate reciprocate the resolution of the House, fixing on to-morrow for the election, by joint ballot of both Houses, a commissioner of the Michigan road.

And then the House adjourned until to-morrow morning 9 o'clock.

THURSDAY MORNING, FEBRUARY 2, 1832.

The House met pursuant to adjournment.

The Speaker laid before the House, a communication from the Secretary of State, relative to contract for wood for the present session of the General Assembly;

Which was read and referred to the committee on claims.

On motion of Mr. Wilson,

Ordered, That Mr. Reid have leave of absence from the service of the House, during the remainder of the present session.

On motion of Mr. Ferguson,

Ordered, That Mr. Peyton have leave of absence from the service of the House, during the remainder of the present session.

Mr. Hoover presented a remonstrance of Charles Morgan and others, against a charge in the State road from Lafayette to Milton; Which was read and laid on the table.

Mr. Crume asked and obtained leave to withdraw five petitions of

citizens of Fayette county, on the subject of a bridge across White water river, at Connersville;

And they were accordingly withdrawn.

Mr. Livingston asked and obtained leave to withdraw certain documents which accompanied the bill for the relief of John Ferguson; And they were accordingly withdrawn.

Mr. Stevenson from the committee on education, to which was referred the report of James Borland, treasurer of the Indiana College;

Reported that they have had the same under consideration and not fully comprehending it, would recommend its being attached to the Journal.

Which report was read, and

On motion of Mr. Henley,
Laid on the table.

On motion of Mr. Bryant,

Ordered, That Mr. Henderson have leave of absence from the service of the House, during the remainder of the present session.

Mr. Huntington from the committee on the judiciary, to which was referred the communication from the Governor, on the subject of the Saline reserve in Dearborne county; reported a joint resolution, relative to said reserve;

Which was three times read, (the rules of the House having first been dispensed with) and passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence.

Mr. Lane made the following report:

Mr. Speaker,

The committee of free conference appointed to take into consideration the disagreement between the two Houses, on the amendment of the Senate to the engrossed bill of the House, entitled an act to amend the act entitled an act incorporating congressional townships and providing for public schools therein, approved Feb. 10, 1831, have had the same under consideration and cannot agree, and ask to be discharged from the further consideration of that subject.

Ordered, That said committee be discharged accordingly.

On motion of Mr. Lane,

The House adhered to their disagreement to the said second amendment of the Senate to said bill.

Ordered, That the Clerk inform the Senate thereof.

Mr. Conner from the select committee to which was referred the petitions of sundry citizens of the counties of Jackson and Lawrence, praying that a part of the said county of Jackson may be attached

to the county of Lawrence, together with several remonstrances, of sundry citizens of Jackson county on the same subject, reported that said committee had, according to order, had that subject under their consideration, and had directed him to report that in the opinion of a majority of said committee, it is inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of that subject.

Ordered, That said committee be discharged accordingly.

Mr. Livingston made the following report:

The select committee to which was referred the resolution of this House inquiring into the expediency of appropriating a portion of the three per cent. fund for the improvement of the Ohio river have had the same, according to order, under their consideration, and directed me to report that it is inexpedient to legislate on that subject;

Which report was read and concurred in.

Mr. Clark from the select committee to which was committed the bill for a state road from Montgomery county to intersect a state road in Warren county, reported that it was inexpedient to legislate any further on said bill at present, and asked to be discharged from the further consideration thereof.

Ordered, That said committee be discharged accordingly.

Mr. Proffit moved the following resolution:

Resolved, That the printer of this House be instructed to print, for the use of the members, six hundred copies of titles of acts and joint resolutions, passed at this session of the legislature, to be ready by the time this House shall adjourn.

Mr. Clark moved to strike out the words "six hundred" from said resolution and insert "one thousand."

Mr. Hoover moved to lay said resolution and proposed amendment on the table;

Which motion was decided in the negative.

The question was then put on the amendment proposed by Mr. Clark,

And passed in the affirmative.

The said resolution as amended was then agreed to.

Mr. Crume moved the following resolution:

Resolved, That a select committee be directed to enquire into the propriety of so amending the present law, regulating mills and millers, as to release all millers from any liability for not grinding in its turn, any grain brought to his mill to be ground for distillation, at any time when his mill may be thronged with grain to be ground for bread stuffs, and releasing altogether such persons as are conscientiously opposed to grinding grain for the purpose of making whiskey;

Which was read; and

A motion was thereupon made by Mr. Crume to lay it on the table;
Which was decided in the negative.

Mr. Flake moved that the further consideration of said resolution be indefinitely postponed; and

Discussion arising thereon,

The Speaker announced the arrival of the hour for passing to the orders of the day.

On motion of Mr. Casey,

The orders of the day were for the present suspended and leave was given him to offer a resolution;

Whereupon,

Mr. Casey moved the following resolution:

Resolved, That the thanks of this House be presented to the Hon. Harbin H. Moore, for the dignified and impartial manner in which he has presided over its deliberations, during the present session;

Which was read and unanimously agreed to by the House.

Mr. Hanna moved to postpone the further orders of the day and for leave to present a bill supplemental to an act to appropriate part of the three per cent. fund and for other purposes, approved February 10, 1831.

And on the question,

Shall leave be given,

It was decided in the negative.

Mr. Angle moved that the orders of the day be postponed, and that leave be given him to present a bill to relocate a part of the State road leading from Frankfort to Lafayette;

Which motion was decided in the negative.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills and joint resolutions of the House of Representatives entitled as follows, to wit:

An act to prevent the sale of ardent spirits to the Indians.

An act to incorporate the Richmond, Eaton and Miami rail-road company.

An act authorizing a change in a part of the Madison and Brownstown State road.

An act to extend a State road therein named.

An act appropriating certain sums of the three per cent. fund for certain purposes therein named.

An act to amend the act entitled an act to provide for the commissioning of sheriffs and coroners and to regulate their duties, approved January 7, 1824, and for other purposes.

An act to authorize John Lung and William Sill to apply for a writ of ad quod damnum, to erect a mill dam on Tippecanoe river.

An act for the more permanently establishing the lines dividing the counties of Warren and Vermillion.

An act to locate a State road from Munceytown in Delaware county, to Pendleton in Madison county.

An act providing for the relocation of a part of the State road leading from Terre-Haute via Carlisle to Mount Pleasant.

An act to change a part of the Lafayette State road.

An act for the relief of John Ferguson, approved, February 4th, 1831, and for other purposes.

An act to locate a State road from Merom in Sullivan county to Bloomfield in Green county.

An act to amend the act entitled an act to incorporate the Franklin county Seminary, approved January 22d, 1830.

A joint resolution for the relief of R. C. Talbott and J. Alling.

A joint resolution of the General Assembly relative to procuring tract books and lists of relinquishments.

A joint resolution relative to the improvement of the navigation of the Wabash and White rivers, without amendment.

The Senate has passed the following named engrossed bills of the House, with amendment, to wit:

An act repealing the 10th section of an act relating to county seminaries, approved 4th February, 1831, and for other purposes.

An act to change the name of Jamestown in Montgomery county, to Carrolton; and

An act supplemental to an act entitled an act to incorporate the Wabash insurance company.

The Senate has also passed an engrossed bill, originating in the Senate, entitled an act to incorporate a company to build a bridge across Silver creek, and for other purposes.

In which bill of the Senate, and the amendments proposed to the bills of the House, the concurrence of the House of Representatives is requested.

The several amendments proposed by the Senate to the bills of the House, named in said message, were read and agreed to.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill of the Senate, above named, was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Slaughter,

The blank in the 12th section thereof was filled with the word "Princeton."

The said amendment was then considered as engrossed, the bill read the third time and passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence in said amendment.

Mr. Morris,

From the joint committee on enrolled bills, reported that they had compared the enrolled with the engrossed bills and joint resolutions, entitled as follows:

An act to locate a state road from New Albany to Lexington.

An act establishing the counties of Huntington, Wabash and Miami.

An act to amend the act, entitled "an act, appropriating part of the three per cent fund, and for other purposes;" approved Feb. 10, 1831.

An act to locate a state road from Bloomington via Leesville and Sparks' ferry, to intersect the Mauks ferry state road at or near William Logans, in the county of Washington.

An act changing the southern boundary of Elkhart county.

An act to establish a state road from Fredericksburgh in Washington county, to Terre-Haute, in Vigo county.

An act to provide for selling Michigan road lands, to open that part of the Michigan road, between Logansport and Lake Michigan, and for other purposes.

An act explanatory of the law of evidence in certain cases.

An act to prohibit the circulation of Bank notes of a less denomination than five dollars.

An act to authorize and require the Seminary trustees of the county of Ripley and the treasurer of the library of Ripley county, to loan certain monies within their control.

A joint resolution to ascertain the terms upon which means may be procured to secure to Indiana, her share of the revenue to accrue from the erection of a bridge over the Ohio river at the Falls.

An act providing for the location of a state road from New Albany to Jeffersonville.

An act to amend and restrict the charter granted to the Madison Insurance Company.

An act for the relief of Samuel Smith.

An act to re-locate part of the Lawrenceburgh and Rushville state road, in Rush county.

An act to authorize the location of a State road from the Belfountain road on the Ohio State line, to the Northern boundary line of Indiana, in the direction to White Pigeon in the Michigan territory.

An act to incorporate the Wabash and Michigan rail road company.

An act to Incorporate the Lawrenceburgh and Indianapolis rail road company.

And find the same truly enrolled.

When,

The Speaker signed said bills and joint resolution.

Ordered, That the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Gardner,

The vote taken this day on adopting the resolution relative to printing the titles of the acts and joint resolutions of the present session, was reconsidered.

On motion of Mr. Gardner,

Said resolution was so amended as to direct the Secretary of State to furnish those titles to the public printer and that said printer send to each member his respective proportion, if they cannot be printed before the rising of the session.

The said resolution as amended was then agreed to.

The House then proceeded to consider the orders of the day.

The engrossed bill providing for draining the swamps, ponds, marshes and other low lands within the county of Tippecanoe and for other purposes was read the third time and passed.

On motion of Mr. Angle,

The title thereof was amended by striking out the word "county," and inserting "counties," and by inserting after "Tippecanoe," these words, Montgomery, Clinton and Warren."

Ordered, That it be entitled 'an act,' and that the Clerk carry it to the Senate and ask their concurrence.

The engrossed bill to authorize David Conner, to build a mill dam across Mississinewa river, was read the third time and

On motion of Mr. Crume,

Laid on the table.

The engrossed bill making specific appropriations for the year 1832, was read the third time and passed.

Ordered, That said bill be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Lane,

The House proceeded to consider bills in committee of the whole.

Mr Proffit moved that the House do now resolve itself into a committee of the whole on the bill granting pre-emption rights to certain settlers on canal lands,

Which motion was decided in the negative.

On motion of Mr. Stevenson,

The committee of the whole, to which said bill was committed; Were discharged from the further consideration thereof.

Mr. Lane moved that said bill be indefinitely postponed;

And the ayes and noes being requested thereon by Messrs. Wilson and Hanna,

Those who voted in the affirmative are,

Messrs. Baber, Cravens, Crume, Culley, Flake, Hargrove, Hite, Lane, Livingston, Lynd, Maxwell, Moyer, Parks, Polke, Proffit, Robinson, Rose, Ruddick, Smiley, Steele, Tebbs, Thornton and Wooden—23.

And those who voted in the negative are,

Messrs. Alley, Angle, Bell, Bonner, Brady, Casey, Clark, Conner, Cox, Davis, Decker, Finch, Frame, Grover, Hanna, Harrod, Hoover, Jones, Nelson, Paddacks, Reynolds, Secrest, Slaughter, Stanford, Vawter, Wallace, Williams, Wilson and Moore Speaker—29.

And so said motion was decided in the negative.

Mr. Moyer moved to recommit the bill to a select committee, with instructions to so amend the same as that the Commissioners may value those lands without reference to the minimum price of canal lands;

Which motion prevailed..

Whereupon,

Messrs. Moyer, Wilson and Hanna were appointed that committee.

On motion of Mr Davis,

The committee of the whole, to which was committed the bill making general appropriations for the year 1832;

Were discharged from the further consideration thereof.

On motion of Mr. Crume,

Said bill was considered as engrossed and read the third time.

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

On motion of Mr. Huntington,

The committee of the whole, to which was committed the bill to amend "an act dividing the State into judicial circuits, and fixing the times of holding courts therein;"

Were discharged from the further consideration thereof;

On motion of Mr. Huntington,

Said bill was amended in that part which refers to the courts in Vigo county, by striking out the words "third Mondays in May and November, in each year," and inserting "on the Mondays succeeding the courts in the county of Clay."

On motion of Mr. Huntington,

The said bill was considered as engrossed and read the third time, and passed;

Ordered, That it be entitled an 'act' and that the Clerk carry it to the Senate and ask their concurrence.

A message was received from the Governor, by Mr. Griffith his private Secretary;

Notifying that he did on this day approve and sign a bill entitled,
An act to provide for selling the Michigan road lands, to open that

part of the Michigan road between Logansport and Lake Michigan; and for other purposes.

On motion of Mr. Hoover,

The committee of the whole to which was committed the bill for the relief of contractors on the Cumberland road, were discharged from the further consideration thereof.

On motion of Mr. Crume,

The said bill was considered as engrossed and read the third time;

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

The House resolved itself into a committee of the whole on the engrossed bill from the Senate to license and regulate taverns and groceries, and after some time spent therein the Speaker resumed the chair, and Mr. Proffit reported the same with sundry amendments;

Which were read and concurred in by the House generally.

Ordered, That said amendments be engrossed and the bill read a third time on this day at 2 o'clock P. M.

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with the engrossed bills entitled as follows:

An act to amend the act entitled "an act allowing and regulating the writ of ad quod damnum within the county of Knox, approved Dec. 20, 1823.

An act for the formation of the county of La Grange.

An act to incorporate the Fredonia school society in Crawford county.

An act incorporating the Brownstown manufacturing company.

An act to incorporate the Harrison and Indianapolis rail road company.

An act to revive a certain state road therein named and for other purposes.

And find the same truly enrolled.

When the Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Hoover from the joint committee on enrolled bills, reported that they did on this day present to the Governor for his approval and signature the following bills entitled 'acts' and joint resolutions, to wit:

An act to provide a suitable compensation for non-resident witnesses in criminal cases.

An act to amend the act entitled act relative to county boundaries, approved February 10th, 1831.

An act to incorporate the Greenwood education society.

An act amendatory of the act entitled an act for the incorporation of towns, approved February 10th, 1831.

An act to relocate a part of the State road leading from Greencastle to Russellville.

An act to provide for the erection of a State House.

An act to establish a State road from Fort Wayne in Allen county to South Bend in St. Joseph county, by way of Gocean in Elkhart county.

An act to locate a State road from Napoleon in Ripley county to Brookville in Franklin county.

An act to provide for the location of a State road therein named.

An act to locate a State road from Greensburgh, by way of Goshen, to Columbus.

An act to provide for the location of a State road therein named.

An act to authorize John Elliott and Isam Pucket to convey certain property therein named.

An act for the benefit of Jacob Whiting.

An act for the relief of John Jones.

An act to amend an act entitled an act to appropriate a part of the three per cent. fund and for other purposes, approved February 10th, 1831.

A joint resolution of the General Assembly of the State of Indiana to authorize and require the fund set apart for the improvement of the Wabash river to be loaned to the canal fund.

A memorial and joint resolution of the General Assembly of the State of Indiana to procure means for the construction of a canal to connect White river with the Wabash.

A joint resolution on the subject of the United States bank.

A joint resolution supplemental to the joint resolution on the subject of the printing of the acts, memorials and joint resolutions of the present General Assembly.

A joint resolution for the benefit of William Polke and others.

A joint resolution of the General Assembly of the State of Indiana relative to Michigan road scrip.

Mr. Angle, after having obtained leave, presented a bill to relocate a part of the state road leading from Frankfort to Lafayette;

Which was three times read, (the rules of the House having first been dispensed with) and passed.

Ordered, That it be entitled an act and that the clerk carry it to the Senate and ask their concurrence.

Mr. Moyer from the select committee to which was recommitted the engrossed bill granting pre-emption rights to certain settlers on canal lands, reported the same with one amendment;

Which was read and concurred in.

Ordered, That said bill be engrossed and read a third time on this day at 2 o'clock P. M.

And then the House adjourned until two o'clock, P. M.

2 o'clock P. M.

The House met pursuant to adjournment.

On motion of Mr. Hoover,

Resolved, That the Senate be invited to attend in the hall of the House of Representatives, instanter, for the purpose of electing a Commissioner to superintend the construction of the Michigan road, that seats will be prepared on the right of the Speaker's chair, and that be appointed teller on the part of this House:

Whereupon,

The Speaker appointed Mr. Hoover teller on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

Mr. Conner made the following report:

The committee on claims to whom was referred the communication of the Secretary of State on the subject of wood furnished by Isaac Fisher, find there is justly due the said Fisher the sum of \$87 50 for 100 cords of wood by him furnished, and recommend for adoption the following resolution:

Resolved, That the said Isaac Fisher be allowed the sum of \$87.50, to be allowed in the specific appropriation bill, for one hundred cords of wood furnished this General Assembly during the present session.

The said resolution was then read and agreed to by the House.

Mr. Morris from the joint committee on enrolled bills reported, that they had compared the enrolled with the engrossed bills entitled as follows:

An act to extend the powers of the Hanover Academy.

An act for the relief of John Ferguson.

A joint resolution for the relief of R. C. Talbott and John Alling.

An act requiring certain public officers to give additional security.

An act supplemental to an act entitled "an act to regulate general elections," approved January 30th, 1831.

An act to incorporate the Madison, Indianapolis and Lafayette rail road company.

An act for the relief of John Alloway, John Hervey and Archibald M'Ewen.

And find the same truly enrolled.

Whereupon,

The Speaker signed said bills and joint resolutions.

Ordered, That that the clerk carry them to the Senate for the signature of their President.

A message was received from the Governor, by Mr. Griffith his private secretary, notifying that he has approved and signed the following bills and joint resolutions, viz:

An act to establish a State road from Fort Wayne in Allen county to South Bend in St. Joseph county by way of Gocean in Elkhart county.

An act to relocate a part of the State road leading from Greencastle to Russellville.

An act to amend the act entitled "an act relative to county boundaries," approved February 10, 1831.

An act to provide for the location of a State road therein named.

An act to amend an act entitled "an act to appropriate a part of the three per cent. fund and for other purposes," approved February 10, 1831.

An act for the relief of John Jones.

An act to provide for the location of a State road therein named.

An act to locate a State road from Napoleon in Ripley county to Brookville in Franklin county.

A joint resolution of the General Assembly of the State of Indiana, relative to Michigan road scrip.

A joint resolution supplemental to the joint resolution on the subject of the printing of the acts, memorials and joint resolutions of the present General Assembly.

A joint resolution for the benefit of William Polke and others.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker:

The Senate has passed engrossed bills of the House of Representatives entitled 'acts,' as follows, to wit:

An act to incorporate the Lawrenceburgh insurance company; and

An act to amend the act entitled "an act for opening and repairing public highways," approved February 10, 1831, without amendment.

A motion was made by Mr. Livingston to suspend the orders of the day and to take up the bill to incorporate the New Albany and Terre-Haute turnpike road company and the report of the select committee thereon;

Which was decided in the negative.

The engrossed bill granting preemption rights to certain settlers on canal lands was read the third time and passed.

Ordered, That it be entitled 'an act,' and that the clerk carry it to the Senate and ask their concurrence.

The engrossed bill from the Senate to licence and regulate groceries and taverns, was read the third time.

Mr. Ferguson moved to recommit said bill to a select committee with instructions to strike out the word "twenty" before the word "dollars," in that part of the 8th section which refers to the maximum

fine upon tavern keepers and grocers for knowingly selling or giving ardent spirits to any person while in a state of intoxication, and inserting in lieu thereof the word "ten."

Mr. Crume moved to amend said instructions so as to direct an amendment of said section by giving to justices of the peace concurrent jurisdiction, in the case of those misdemeanors;

Which was accepted by Mr. Ferguson as a modification of his said motion.

And on the question to recommit said bill with instructions as proposed,

It passed in the affirmative.

Ordered, That Messrs. Ferguson, Crume, Hoover and Morris be that committee.

Mr. Hoover from the joint committee on enrolled bills, reported that they did on this day present to the Governor for his approval and signature the following bills entitled 'acts' and one joint resolution, to wit:

An act explanatory of the law of evidence in certain cases.

An act to establish a state road from Fredericksburgh in Washington county, to Terre-Haute, in Vigo county.

An act changing the southern boundary of Elkhart county.

An act to locate a state road from Bloomington via Laesville and Sparks' ferry, to intersect the Mauks ferry state road at or near William Logans, in the county of Washington.

An act to amend the act, entitled "an act, appropriating part of the three per cent fund, and for other purposes;" approved Feb. 10, 1831.

An act establishing the counties of Huntington, Wabash and Miami.

An act to locate a state road from New Albany to Lexington.

An act to prohibit the circulation of Bank notes of a less denomination than five dollars.

An act to authorize and require the Seminary trustee of the county of Ripley and the treasurer of the library of Ripley county, to loan certain monies within their control.

An act providing for the location of a state road from New Albany to Jeffersonville.

An act to amend and restrict the charter granted to the Madison Insurance Company.

An act for the relief of Samuel Smith.

An act to re-locate part of the Lawrenceburgh and Rushville state road, in Rush county.

An act to incorporate the Wabash and Michigan rail road company.

An act to Incorporate the Lawrenceburgh and Indianapolis rail road company.

An act to authorize the location of a State road from the Belfount

tain road on the Ohio State line, to the Northern boundary line of Indiana, in the direction to White Pigeon in the Michigan territory.

An act to provide for selling Michigan road lands, to open that part of the Michigan road, between Logansport and Lake Michigan, and for other purposes; and

A joint resolution to ascertain the terms upon which means may be procured to secure to Indiana, her share of the revenue to accrue from the erection of a bridge over the Ohio river at the Falls.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate has adopted the following resolution:

Resolved, That the Senate reciprocate the resolution of the House of Representatives, with regard to the election of a Michigan road commissioner, and that Mr. Clendenin is appointed teller, on the part of the Senate.

The Senate then came down from their chamber and took their seats on the right of the Speaker's chair, the President of the Senate on the right of the Speaker, when both Houses proceeded by joint ballot to the election of a commissioner of the Michigan road lands;

And on counting the ballots it appeared that

William Polke received	-	-	-	74 votes.
Scattering	-	-	-	15

William Polke having received a majority of all the votes given was, by the President of the Senate, in presence of both Houses of the General assembly declared duly elected commissioner as aforesaid.

The Senate then retired to their chamber.

A message from the Senate by Mr. Graham, one of their members:

Mr. Speaker,

The Senate have passed the engrossed bill of the House, entitled an act to incorporate the New Albany, Salem, Indianapolis and Waoash rail road company, with amendments, to which the concurrence of the House is requested.

The several amendments, proposed by the Senate to the engrossed bill of the House, named in said message, were read and agreed to.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills and joint resolutions of the House, entitled as follows, to wit:

An act to locate a State road from Parishes Grove to the State

line in the direction to the rapids of Illinois, at the terminating point of the Illinois canal.

An act to amend the act entitled an act to establish a State road from Wm. Connely's in Lawrence county to Greencastle in Putnam county, approved February 7, 1831.

A joint resolution relative to the Saline reserve in the county of Dearborn.

All without amendment.

The Senate has also passed the following engrossed bills of the House, with amendments, entitled acts, as follows, to wit:

An act to incorporate the town of New Albany.

An act to incorporate the Harrison and White water bridge company.

An act providing for draining the swamps, ponds, marshes and other low lands within the counties of Tippecanoe, &c.

An act to incorporate the Ohio and Wabash rail road company, and

A joint resolution of the General Assembly concerning the public lands.

In which amendments the concurrence of the House of Representatives is requested.

The Senate has discharged the second committee of free conference, appointed to take into consideration the disagreeing vote of the two Houses, on the second amendment proposed by the Senate to the engrossed bill of the House, entitled an act to amend the act entitled an act incorporating Congressional townships and providing for public schools therein, approved February 10, 1831, and adhere to said proposed second amendment.

The several amendments proposed by the Senate to the several bills and joint resolution of the House, named in said message, were read and agreed to by the House.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has adopted the following resolution, to wit:

Resolved, That the Senate will adjourn, *sine die*, on Friday the 3d instant, (the House of Representatives concurring therein) and that the House of Representatives be informed thereof and a similar resolution on their part requested.

On motion of Mr. Hoover,

Resolved, That the Senate be informed that the House of Representatives reciprocate the resolution of the Senate to adjourn, *sine die*, on to-morrow third instant.

Mr. Morris having been excused from further serving on the joint committee of enrolled bills, it was

On motion of Mr. Hoover,

Ordered, That Mr. Huntington be appointed that committee on the part of the House.

A message was received from the Governor, by Mr. Griffith his private secretary, notifying that he has approved and signed the following bills entitled acts, viz:

An act to amend and restrict the charter granted the Madison insurance company.

An act to authorize and require the seminary trustee of the county of Ripley and the treasurer of the library of Ripley county, to loan certain monies within their control.

An act providing for the location of a State road from New Albany to Jeffersonville.

An act to authorize the location of a State road on the Ohio State line, to the northern boundary line of Indiana in the direction to White Pigeon in Michigan territory.

An act to relocate part of the Lawrenceburgh and Rushville State road in Rush county.

An act for the relief of Samuel Smith.

An act changing the southern boundary of Elkhart county.

An act to establish a State road from Fredericksburgh in Washington county to Terre-Haute in Vigo county.

An act to locate a State road from Bloomington via Leesville and Spark's ferry, to intersect the Mauk's ferry State road at or near Win. Logan's, in the county of Washington.

An act to amend the act entitled "an act to appropriate part of the three per cent. fund and for other purposes," approved February 10, 1831.

An act establishing the counties of Huntington, Wabash and Miami.

An act to locate a State road from New Albany to Lexington.

On motion of Mr. Angle,

The engrossed bill of the House amendatory to the act entitled an act to organize Probate Courts and defining the duties of executors, administrators and guardians, approved February 10, 1831, heretofore laid on the table, was taken up.

The amendments proposed thereto by the Senate were then agreed to, with an amendment.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence in the said amendment of the House to the amendment of the Senate to said bill.

Mr. Crume from the select committee to which was recommitted

the engrossed bill from the Senate to regulate taverns and groceries, reported the same with two amendments;
Which were read and concurred in.

On motion of Mr. Crume,
The amendments were considered as engrossed and the bill read the third time.
And on the question,
'Shall the bill pass?'
The ayes and noes being requested thereon by Messrs. Clark and Henley,

Those who voted in the affirmative are,

Messrs. Angle, Casey, Conner, Cravens, Crume, Culley, Finch, Grover, Harrod, Heaton, Hoover, Jones, Lane, Livingston, Maxwell, Morris, Moyer, Nelson, Paddacks, Parks, Rose, Ruddick, Slaughter, Smiley, Stanford, Steele, Stevenson, Tebbs, Vawter, Williams and Thornton, Speaker pro tem.—32.

And those who voted in the negative are,

Messrs. Alley, Baber, Bonner, Brady, Bryant, Clark, Cox, Davis, Decker, Griggs, Hargrove, Henley, Hite, Mastin, Polke, Proffit, Reynolds, Secrest and Wooden—18.

And so said bill passed.

Ordered, That the Clerk inform the Senate thereof and ask their concurrence in the amendments proposed by the House to said bill.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate concurs in the amendment made by the House of Representatives to the engrossed bill of the Senate entitled an act to incorporate a company to build a bridge across Silver creek and for other purposes.

The Senate has passed engrossed bills of the House, without amendment, entitled acts, as follows, to wit:

An act for the relief of the contractors on the Cumberland road.

An act making general appropriations for the year 1832.

An act to relocate a part of the Frankfort and Lafayette State road.

An act to authorize William A. Hood to receive certain money from Wm. McCreery, a road commissioner, and to expend the same.

An act to authorize the location of a State road from Fort Wayne in Allen county to Mon-go-qui-nong prairie in the county of Lagrange.

An act to locate a State road from Winchester in Randolph county to New Castle in Henry county.

The following message was received from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate has passed bills of the Senate, entitled "acts," as follows, to wit:

An act to prevent useless and expensive applications to the General Assembly, relative to state roads; and

An act to amend an act dividing the state into judicial circuits and fixing the times of holding courts therein, approved February 10, 1831; in which bills the concurrence of the house is requested.

The engrossed bill of the Senate, first named in said message, was three times read (the rules of the House having first been dispensed with) and passed.

Ordered, That the clerk inform the Senate thereof.

The bill of the Senate last named in said message was twice read (the rules of the House having first been dispensed with) and

On motion of Mr. Slaughter,

Was committed to a committee of the whole House for this day now.

The House then resolved themselves into a committee of the whole on said bill, and after some time spent therein, the Speaker resumed the chair and Mr. Vawter reported the same with one amendment;

Which was read and concurred in.

The said amendment was then considered as engrossed, the bill read the third time and passed.

Ordered, That the clerk inform the Senate thereof and ask their concurrence in said amendment.

A message was received from the Governor, by Mr. Griffith his private Secretary;

Notifying that he has approved and signed bills entitled "acts," as follows, viz:

An act incorporating the Brownstown manufacturing company.

An act to incorporate the Fredonia school society in Crawford county.

An act to revive a certain state road therein named and for other purposes.

An act to amend the act entitled "an act allowing and regulating the writ of ad quod damnum within the county of Knox," approved Dec. 20, 1823.

An act for the formation of the county of La Grange.

Which originated in the House of Representatives.

Mr. Willet presented the following protest for entry upon the journals, to wit:

The undersigned avails himself of the Constitutional provision of protesting against the joint resolution which passed this House on the 28th ultimo, requesting the Bank of the United States to establish branches of that institution in the State of Indiana; because it is unbecoming the legislature of a sovereign state to assume the attitude of petitioner to any power, and in his judgment disgraceful in the extreme to do so to a mere *monied* incorporation.

Should the sovereign power of the State have occasion to hold official communication with other State sovereignties, or with corporations, self respect would require that such communication should be effected by the appointment of agents or commissioners for that specific purpose, as not compromising its honor or implying inferiority. But asking of the United States' Bank, as a boon, to place branches here is wrong for the above reason, an objection that must be good forever.

The Bank of the United States is a corporation deriving its powers from the federal government, in no respect subject to the control of the State; from its resources it will have the power to control the freedom of elections, and in time may direct the destinies of Indiana. Yet the people, or the State, have no possible supervision over its operations. And if the above difficulties were removed, it would be subject to the serious objection, at this time, arising from the consideration that the people have made no expression to guide their representatives.

And a further objection as matter of opinion is, that the Bank of the United States fosters an undue aristocracy in the country. It controls in secret, and inscrutable to public observation, a great *monied* power; and can command a great part of the public press, not only by the establishment of new presses and circulating pamphlets and papers gratis; but by holding out strong inducements, shielded from the public eye, to publishers of papers already popular and influential among the people, to give up their principles and yield an insidious support for the sake of gain.

And lastly, let me ask this question of all dispassionate men, as the constitution of this State, which we as members are sworn to support, expressly declares that "there shall not be *established or incorporated* in this State, any bank or banking company, or *monied institution*, for the purpose of issuing bills of credit, or bills payable to order or bearer," &c. except a State Bank and branches, &c., nor can we *invite* by our resolves, the establishment of a Bank and *monied* incorporation, which is the creature of a different government? Is not the Bank of the United States a "*monied institution*?" If a Branch of that Bank be introduced into the State, by the request of the legislature, do we not in truth invite the establishment of an institution which the very letter and spirit of the Constitution of the State intended to prohibit?

And besides it is a question of too serious and delicate import, even if the law making power of the State were exerted, whether the fed-

eral power could control the word "*establish*," in the tenth article. If it *could* the Constitution has asserted too much for the reserved sovereignty of the State; and if so, he doubts whether too much has not been given to the Federal Constitution for the safety of the people.

MARINUS WILLETT,
of Rush county.

Mr. Hoover from the joint committee on enrolled bills, reported that they did, on this day, present to the Governor for his approval and signature, the following bills, entitled acts:

An act for the relief of John Alloway, John Hervey and Archibald M'Ewen.

An act supplemental to an act entitled "an act to regulate general elections," approved January 30th, 1831.

An act requiring certain public officers to give additional security.

An act for the relief of John Ferguson.

An act to extend the powers of the Hanover Academy.

An act to amend the act entitled an act allowing and regulating the writ of *ad quod damnum* within the county of Knox, approved December 20, 1823.

An act to incorporate the Brownstown manufacturing company.

An act for the formation of the county of La Grange.

An act to incorporate the Fredonia school society in Crawford county.

An act to revive a certain road therein named and for other purposes.

An act to incorporate the Harrison and Indianapolis rail road company; and

A joint resolution for the relief of R. C. Talbott and J. Alling.

Mr. Vawter made the following report:

The committee of ways and means to which was referred a communication made by the Secretary of State to this House, having reference to books purchased for the use of the State Library, report, that they have examined the books *now* in the library, and are of opinion that the selection and purchase is a good one. The committee now ask to be discharged from the further consideration of that subject.

Ordered, That said committee be discharged accordingly.

Mr. Vawter from the same committee made the following report:

"The committee of ways and means to which was referred a communication made by the Secretary of State to this House, having reference to contracts for distribution of the laws and journals of the last General Assembly, also for all the public printing for the present General Assembly, and for all blanks necessary for the several public offices, and for the furnishing fuel for the present General Assembly, have had all those several matters and subjects, in said communica-

tions under consideration and now report, that they have not discovered any thing therein, requiring legislation, except to allow a second contractor, pay for fuel furnished this General Assembly, the contractor in said communication having failed to execute (but in part) his contract, in supplying the necessary supply of fuel. The committee now ask to be discharged from the further consideration of said subject."

Ordered, That said committee be discharged accordingly.

Mr. Huntington from the joint committee on enrolled bills report, that they have compared the enrolled with the engrossed bills of the Senate entitled as follows:

An act to establish a State road from Greensburgh in Decatur county to Noblesville in Hamilton county.

An act supplementary to an act to authorize the Agent of the State for the town of Indianapolis to lay off the land belonging to the State into lots and offer the same for sale," approved February 9th, 1831.

An act to amend the "act organizing the Supreme Court and defining its powers and duties," approved January 17th, 1831.

An act to provide a fund to encourage common schools.

An act to relocate a part of the State road from Newcastle to Lafayette.

They have also compared the enrolled with the engrossed bills of the House of Representatives, entitled as follows, viz:

An act for the location of a State road.

An act to amend the act entitled "an act for opening and repairing public roads and highways," approved February 10th, 1831.

An act to provide for locating a State road from Merom in Sullivan county via New Lebanon to Bloomfield in Green county; and

An act to incorporate the New Albany insurance company.

And find the same truly enrolled.

When,

The Speaker signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Hoover from the joint committee on enrolled bills reported, that they did, on this day, present to the Governor for his approval and signature, the following bills entitled acts:

An act to amend an act entitled an act for opening and repairing public roads and highways, approved February 10, 1831.

An act for the location of a State road.

An act to provide for locating a State road from Merom in Sullivan county, via New Lebanon, to Bloomfield in Green county.

An act to establish a State road from Greensburgh in Decatur county to Noblesville in Hamilton county.

An act to amend the act organizing the Supreme Court, and defining its powers and duties, approved January 17, 1831.

An act to relocate a part of the State road from Newcastle to Lafayette.

An act supplementary to an act, to authorize the Agent of the State for the town of Indianapolis, to lay off the lands belonging to the State into lots, and offer the same for sale, approved February 9, 1831.

An act to provide a fund to encourage common schools.

An act to incorporate the New Albany insurance company.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate concurs in all the amendments proposed by the House of Representatives to the bill of the Senate entitled an act to amend the act entitled "an act regulating the jurisdiction of justices of the peace, approved February 10, 1832, except the 7th amendment, and to this the Senate disagrees.

On motion of Mr. Hoover,

The House receded from their said 7th amendment to the engrossed bill of the Senate above named.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate concurs in all the amendments made by the House of Representatives to the engrossed bill of the Senate entitled an act to license and regulate taverns and groceries, except the 4th, 5th, 6th, 7th and 8th, and to these the Senate disagrees.

The House receded from their said 4th, 5th, 7th and 8th amendments to the above named bill of the Senate.

Ordered, That the Clerk inform the Senate thereof.

Before proceeding farther with said message,

The House adjourned until 6 o'clock, P. M.

6 o'clock, P. M.

The House met pursuant to adjournment, and

Resumed the consideration of the message from the Senate depending at the last adjournment.

On motion of Mr. Crume,

The House insisted on their 6th amendment to the engrossed bill of the Senate to license and regulate taverns and groceries, named in said message.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Davis,

The engrossed bill from the Senate to amend an act for the pre-

vention of frauds and perjuries, heretofore laid on the table was taken up.

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has passed an engrossed bill of the House, entitled "an act to legalize the proceedings of the school trustees of Congressional township No. 9, North of Range No. 4 West, in Owen county, with amendments, in which the concurrence of the House of Representatives is requested.

The amendments proposed by the Senate to the above named bill of the House were read and agreed to.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Finch,

The engrossed bill of the Senate to establish a State road from Lafayette to Parish's Grove, heretofore laid on the table, was taken up and read the third time.

Mr. Clark moved that the further consideration of said bill be postponed until the first Monday in December next.

The ayes and noes being requested thereon, by Messrs. Angle and Clark,

Those who voted in the affirmative are,

Messrs. Angle, Brady, Bryant, Clark, Conner, Cravens, Crume, Culley, Flake, Frame, Grover, Hite, Hoover, Huntington, Lynd, Maxwell, Rose, Ruddick, Secrest, Stevenson and Williams—21.

And those who voted in the negative are,

Messrs. Alley, Bonner, Casey, Decker, Ferguson, Finch, Griggs, Hanna, Hargrove, Harrod, Heaton, Jones, Lane, Livingston, Mastin, Moyer, Nelson, Parks, Polke, Robinson, Slaughter, Stanford, Steele, Tebbs, Vawter, Willet, Wilson, Wooden and Thorntor, Speaker pro tem.—29.

And so said motion was decided in the negative.

And on the question,

Shall the bill pass?

It was carried in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate recede from their disagreement to the 6th amendment proposed by the House of Representatives to the engrossed bill of the Senate entitled an act to license and regulate taverns and groceries.

The Senate concur in the amendments proposed by the House of Representatives to the engrossed bill of the Senate entitled an act to amend an act dividing the State into judicial circuits and fixing the time of holding courts therein, approved February 10, 1831.

The following message was received from the Senate, by Mr. Morris, their assistant Secretary:

Mr. Speaker,

The Senate disagree to the amendment proposed by the House to the amendments proposed by the Senate, to the engrossed bill of the House, entitled an act, amendatory to the act entitled an act to organize Probate Courts, and defining the powers and duties of executors, administrators and guardians, approved February 10, 1831.

On motion of Mr. Huntington,

The House receded from their said amendment to the amendments proposed by the Senate to the engrossed bill of the House named in said message.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the House of Representatives, entitled acts, as follows, to wit:

An act to amend an act entitled an act to continue in force "An act for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the Court House at Lawrenceburgh, on the morning of the 6th of March, 1826, approved January 29, 1831.

An act to establish a State road from Greensburgh in Decatur county to Brookville in Franklin county; and

An act to locate a State road therein named, without amendment.

Mr. Huntington from the joint committee on enrolled bills reported, that they have compared the enrolled with the engrossed bill of the Senate entitled

An act to incorporate the Ohio and Lafayette rail-road company; And find the same truly enrolled.

When the Speaker signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

A message was received from the Governor, by Mr. Griffith his

private secretary, notifying that he has approved and signed the following bills entitled acts, and joint resolution, viz:

An act for the relief of John Ferguson.

A joint resolution for the relief of R. C. Talbott and John Alling.

An act to amend the act entitled an act for opening and repairing public roads and highways, approved February 10, 1831.

An act to provide for locating a State road from Merom in Sullivan county via New Lebanon, to Bloomfield in Green county.

An act for the location of a State road.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate has passed, without amendment, bills of the House, entitled acts, as follows, to wit:

An act to amend an act entitled an act confirming to John J. Akin, Alexander Walker and John J. Livingston certain rights, approved January 6, 1831.

An act to amend the act entitled an act defining the duties of recorders, approved January 19, 1831.

An act to establish a State road from Napoleon in Ripley county to near Jehu Perkins' in Rush county, and to locate a State road therein named.

Mr. Hoover from the joint committee on enrolled bills, reported that they did on this day present to the Governor for his approval and signature the following bill entitled an act, to wit:

An act to incorporate the Ohio and Lafayette rail-road company.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills and a joint resolution of the House of Representatives, entitled an act to establish a certain State road therein named and for other purposes.

An act to locate a State road from Lagrange in the county of Tippecanoe to Logansport in the county of Cass; and

A memorial and joint resolution of the General Assembly of the State of Indiana relative to the public lands, without amendment.

A message was received from the Governor, by Mr. Griffith his private Secretary;

Notifying that he has approved and signed a bill entitled

An act to incorporate the New Albany insurance company.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate has passed engrossed bills of the House of Representatives, entitled acts, as follows, to wit:

An act to amend an act entitled an act to appropriate part of the three per cent. fund and for other purposes, approved February 10, 1831, so far as the same respects the county of Green.

An act concerning lotteries; and

An act making specific appropriations for the year 1832, the first *without* and the two last with amendments, in which the concurrence of the House of Representatives is requested.

The amendment proposed by the Senate to the bill of the House secondly in said message named, was read and agreed to.

The 1st, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 16th and 18th amendments of the Senate, to the bill of the House last named in said message, were read and agreed to.

Ordered, That the clerk inform the Senate thereof.

The second amendment of the Senate to said bill was read, when

Mr. Mastin moved to amend the same by adding the following:

"And that James Scammoham, Henry Davis, Archibald Gibson, Joseph Yorke, Robert Calhoun and William Bowman be allowed each the sum of one dollar and twenty-five cents per day for five days attendance as witnesses in the case of Young L. Hughes; also two days each for going and returning, and that William Faught and George Faught, witnesses in the case aforesaid, be allowed for one days attendance each and two days going and returning;"

Which motion was decided in the negative.

The said second amendment of the Senate was then agreed to.

The 5th, 17th and 19th of said amendments were read and disagreed to.

The 11th amendment was agreed to with an amendment.

Ordered, That the clerk inform the Senate thereof and ask their concurrence in the amendment of the House to the 11th amendment of the Senate.

Mr. Hanna moved to reconsider the vote on disagreeing to the said 5th amendment of the Senate;

Which motion was decided in the negative.

Mr. Steele moved to reconsider the vote on agreeing to said 18th amendment of the Senate;

Which motion was decided in the negative.

Mr. Vawter moved to reconsider the vote on agreeing to the said 11th amendment of the Senate, as amended;

Which motion was decided in the negative.

A message from the Senate by Mr. Beard, one of their members:

Mr. Speaker,

The Senate has passed an engrossed bill of the House of Representatives, entitled an act to legalize the sale of school lands in the counties of Montgomery and Tippecanoe, with two amendments, to which the concurrence of the House is requested.

The above named amendments of the Senate were read and agreed to.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their assistant Secretary:

Mr. Speaker,

The Senate concur in the amendment proposed by the House, to the 11th amendment proposed by the Senate, to the engrossed bill of the House entitled

An act making specific appropriations for the year 1832.

The Senate recede from their 5th and 17th amendments to said bill, but insist on the 19th amendment proposed by them to said bill.

On motion of Mr. Slaughter,

The House receded from their disagreement to the 19th amendment of the Senate to said bill.

Ordered, That the clerk inform the Senate thereof.

Mr. Vawter moved the following resolution:

Resolved, That there be a committee appointed on the part of this House to act in conjunction with a similar committee on the part of the Senate, to wait upon His Excellency the Governor and inform him that both Houses have gone through with their legislative business and are now ready to adjourn *sine die*, if he has no further communications to make to them, and that the Senate be informed of the adoption of this resolution and a similar one on their part requested;

Which was read, and

On motion of Mr. Henley,

Laid on the table.

And then the House adjourned until to-morrow morning at seven o'clock.

FRIDAY MORNING, FEBRUARY 3, 1832.

The House met pursuant to adjournment.

On motion of Mr. Hoover.

Messrs. Cravens and Stevenson were added to the committee on enrolled bills.

On motion of Mr. Lane,

The resolution moved by Mr. Vawter and laid on the table yesterday relative to the appointment of a select committee to act with a similar committee of the Senate to wait on the Governor and inform him that both Houses have gone through with their legislative business and are ready to adjourn, &c. was taken up and adopted.

Whereupon,
Messrs. Vawter and Lane were appointed of that committee on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate has appointed Messrs. Orr and Clendenin a committee on the part of the Senate to act with the committee appointed by the House of Representatives to wait on His Excellency the Governor and inform him that both Houses have gone through their legislative business and are now ready to ajourn *sine die*, if he has no further communications to make to them and that the House of Representatives be informed thereof.

Mr. Huntington from the committee on enrolled bills reported, that said committee have compared the enrolled with the engrossed bills entitled acts, to wit:

An act to change the name of Jamestown in Montgomery county to Carrollton.

An act to change a part of the Lafayette State road.

An act to authorise John Lung and William Sill to apply for a writ of ad quod damnum to erect a mill-dam on Tippicanoe river.

An act providing for the relocation of a part of the State road leading from Terre Haute in Vigo county via Carlisle in Sullivan county to Mount Pleasant in Martin county.

An act to amend an act entitled an act to provide for the commissioning of sheriffs, and coroners, and to regulate their duties, approved January 7th, 1824 and for other purposes.

An act to locate a State road from Munceytown in Delaware county to Pendleton in Madison county.

An act for the more permanently establishing the lines dividing the counties of Vermillion and Warren.

An act appropriating certain sums of the three per cent. fund for certain purposes therein named.

And find the same truly enrolled.

Whereupon,

The Speaker pro tem. signed said bills.

Ordered, That that the clerk carry them to the Senate for the signature of their President.

Mr. Cravens from the joint committee on enrolled bills reported, that they had compared the enrolled with the engrossed bills entitled as follows:

An act to incorporate the Lawrenceburgh insurance company.

An act to authorise William Hood to receive certain money from William McCreery a road commissioner and to expend the same.

An act amendatory of an act entitled an act to organize probate

courts and defining the duties and powers of executors, administrators and guardians, approved February 10th, 1831.

An act locating a state road from the town of Lagrange in Tippecanoe county to Logansport in Cass county.

An act to amend an act confirming to John Akin, Alexander Walker and John J. Livingston certain rights, approved January 6th, 1831.

An act to establish a State road from Greensburg in Decatur county to Brookville Franklin county.

An act to amend an act entitled an act to continue in force an act for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the court house at Lawrenceburgh on the morning of the 6th, March, 1826, approved January 29th, 1831.

An act concerning lotteries.

An act providing for draining the swamps, marshes, and other low lands in the counties of Tippecanoe, Montgomery, Clinton, and Warren.

And find them truly enrolled.

When the speaker pro tem. signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

Mr. Huntington from the committee on enrolled bills reported that they had compared the enrolled with the engrossed bills of the Senate of the following titles, viz.

An act to amend an act for the prevention of frauds and perjuries, approved January 24th, 1831.

An act to establish a State road from Lafayette to Parishes Grove; also bills and joint resolutions of the House of the following titles, to wit:

An act to amend an act entitled an act establish a State road from William Connelly's in Lawrence county to Greencastle in Putnam county, approved February 7th, 1831.

An act supplemental to an act entitled an act to incorporate the Wabash insurance company.

An act to legalize the sale of school lands in Montgomery and Tippecanoe.

An act to amend the act entitled an act defining the duties of recorders.

An act to incorporate the Richmond, Eaton and Miami rail road company.

An act to authorize a change in part of the Madison and Brownstown State road.

An act to prevent the sale of ardent spirits to the Indians.

An act to amend the act entitled an act to incorporate the Franklin county seminary, approved January 22d, 1830.

An act making general appropriations for the year 1832.

An act to locate a state road therein named and for other purposes.

An act to legalize the proceedings of the school trustees of Congressional township No. 9, North of Range 4 West, in Owen county.

An act for the relief of contractors on the Cumberland road.

A act to authorize the location of a state road in Allen county to Mon-go-qui-non prairie in the county of Lagrange.

An act to incorporate the New Albany, Salem, Indianapolis and Wabash rail road company.

A memorial and joint resolution of the General Assembly of the state of Indiana relative to the public lands.

A joint resolution relative to saline reserve in the county of Dearborn.

A joint resolution of the General Assembly concerning the public lands.

An act repealing the 10th section of an act relating to county seminaries, approved February 4th, 1831, and for other purposes.

An act to locate a State road from Winchester in Randolph county, to New Castle in Henry county.

An act to relocate a part of the state road leading from Frankfort to Lafayette.

An act to incorporate the Harrison and White water bridge company.

An act to amend an act entitled an act to appropriate part of the three per cent. fund and for other purposes, so far as the same respects the county of Green.

An act to locate a state road therein named.

An act (of the Senate) to incorporate a company, to build a bridge across Silver creek and for other purposes.

An act (of the Senate) to amend an act dividing the state into judicial circuits and fixing the times of holding courts therein, approved February 10th, 1831.

An act (of the Senate) to license and regulate taverns and groceries.

An act to continue a state road to commence at Parish's Grove where the state road leading from Lafayette in Tippecanoe county and by the way of the outlet of the Cranberry lake to Parish's Grove.

A joint resolution of the General Assembly relative to procuring tract books and lists of relinquishments.

A joint resolution relative to the improvement of the navigation of the Wabash and White rivers.

An act to amend the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved February 10th, 1831.

An act to prevent useless and expensive applications to the General Assembly relating to State roads.

And find the same truly enrolled.

When the speaker pro tem. signed said bills and joint resolutions.

Ordered. That the clerk carry them to the Senate for the signature of their President.

Mr. Cravens from the joint committee on enrolled bills reported, that they have compared the enrolled with the engrossed bill entitled
An act to incorporate the Ohio and Indianapolis rail road company
and find the same truly enrolled.

When the speaker pro tem. signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Stevenson from the joint committee on enrolled bills reported that they have compared the enrolled with the engrossed bill entitled

An act to establish a State road from Napoleon in Ripley county to near Jehu Perkins' in Rush county and to locate a state road therein named, and find the same truly enrolled.

When the Speaker pro tem. signed said bill.

Ordered, That the clerk carry it to the Senate for the signature of their President.

Mr. Cravens from the joint committee on enrolled bills reported, that they have compared the enrolled with the engrossed bills, entitled as follows:

An act making specific appropriations for the year 1832; and

An act to incorporate the town of New Albany.

And find the same truly enrolled.

When,

The Speaker pro tem. signed said bills.

Ordered, That the clerk carry them to the Senate for the signature of their President.

On motion of Mr. Ferguson, (Mr. Slaughter in the chair)

It was unanimously

Resolved, That the thanks of this House be tendered to the Honorable Speaker pro tem. for his indefatigable industry and attention in bringing this session to a close.

Mr. Cravens from the joint committee on enrolled bills reported, that they did on this day present to the Governor for his approval and signature, the following bills entitled acts:

An act to establish a state road from Lafayette to Parish's Grove

An act to amend an act entitled an act for the prevention of frauds and perjuries, approved January 24th, 1831.

An act to license and regulate taverns and groceries.

An act to amend an act dividing the state into judicial circuits and fixing the time of holding courts therein.

An act to prevent useless and expensive applications to the General Assembly relating to state roads.

An act to incorporate a company to build a bridge across Silver creek and for other purposes.

An act to establish a certain state road therein named and for other purposes.

An act to legalize the proceedings of the school trustees of Congressional township No. 9, North of Range 4 West, in Owen county.

An act to amend an act entitled an act to incorporate the Franklin county seminary, approved January, 30, 1830.

An act to prevent the sale of ardent spirits to the Indians.

An act to authorize a change in the Madison and Brownstown state road.

An act to incorporate the Richmond, Eaton and Miami rail road company.

An act to amend the act entitled an act defining the duties of recorders, approved January 19, 1831.

An act to legalize the sale of the school lands in the counties of Montgomery and Tippecanoe.

An act to locate a state road from Parish's Grove to the state line on the direction to the rapids of Illinois.

An act for the relief of contractors on the Cumberland road.

An act to authorize the location of a state road from Fort Wayne in Allen county to Mon-go-qui-non prairie in the county of Lagrange.

An act to locate a state road from Winchester in Randolph county to New Castle in Henry county.

An act to locate a part of the Frankfort and Lafayette state road.

An act to incorporate the Harrison and White Water bridge company.

An act making general appropriations for the year 1832.

A joint resolution of the General Assembly concerning the public lands.

An act to establish a State road from Greensburgh in Decatur county to Brookville in Franklin county.

An act to amend an act entitled an act confirming to John J. Akin, Alexander Walker and John J. Livingston certain rights, approved January 6, 1831.

An act to locate a State road from Lagrange in the county of Tippecanoe to Logansport in the county of Cass;

An act to incorporate the Lawrencburgh insurance company.

An act amendatory to an act entitled an act to organize probate courts and defining the powers and duties of executors, administrators and guardians, approved February 10th, 1831.

An act to authorize William A. Hood to receive certain money from William M'Creery, a road commissioner, and to expend the same.

An act providing for draining the swamps, ponds and marshes and other low lands, within the counties of Tippecanoe, Montgomery, Clinton and Warren.

An act concerning lotteries.

An act to amend an act entitled an act to continue in force "An act for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were consumed

By fire in the Court House at Lawrenceburgh, on the morning of the 6th of March, 1826, approved January 29, 1831.

A message was received from the Governor, by Mr. Griffith his private Secretary;

Notifying that he has approved and signed the following bills, &c.

An act to change a part of the Lafayette State road.

An act to appropriate certain sums of the three per cent. fund for certain purposes therein named.

An act to locate a State road from Munceytown in Delaware county to Pendleton in Madison county.

An act to change the name of Jamestown in Montgomery county to Carrollton.

An act to authorize John Lung and William Sill to apply for a writ of ad quod damnum, to erect a mill dam on Tippecanoe river.

An act to amend an act entitled "an act to provide for the commissioning of sheriffs and coroners, and to regulate their duties," approved January 7, 1824 and for other purposes.

An act for the more permanently establishing the line dividing the counties of Vermillion and Warren.

An act providing for the relocation of a part of the State road leading from Terre Haute in Vigo county via Carlisle to Mount Pleasant in Montgomery county.

An act locating a State road from the town of Lagrange in Tippecanoe county to Logansport in Cass county.

An act concerning lotteries.

An act to establish a State road from Greensburgh in Decatur county to Brookville in Franklin county.

An act to amend an act entitled "an act to continue in force an act for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were consumed by fire in the Court House at Lawrenceburgh, on the morning of the 6th of March 1826," approved January 29, 1831.

An act to amend an act confirming to John J. Akin, Alexander Walker and John J. Livingston certain rights, approved January 6, 1831.

An act to authorize William A. Hood to receive certain money from William M'Creery, a road commissioner, and to expend the same.

An act providing for draining the swamps, ponds, marshes and other low lands, within the counties of Tippecanoe, Montgomery, Clinton and Warren.

An act to legalize the proceedings of the school trustees of Congressional Township No. 9, North of Range 4 West, in Owen county.

An act to incorporate the Lawrenceburgh insurance company.

An act to prevent the sale of ardent spirits to the Indians.

A memorial and joint resolution of the General Assembly relative to the public lands.

An act amendatory to the act entitled "an act to organize probate courts and defining the powers and duties of executors, administrators and guardians," approved February 10, 1831.

An act to establish a State road from Lafayette to Parish's Grove.

An making general appropriations for the year 1832.

An act to amend the act entitled "an act defining the duties of recorders."

An act authorizing a change in part of the Madison and Brownstown State road.

An act to incorporate the New Albany, Salem, Indianapolis and Wabash rail road company.

A message was received from the Governor, by Mr. Griffith his private secretary, notifying that he has approved and signed the following bills and joint resolutions, viz:

A joint resolution relative to the saline reserve in the county of Dearborn

An act to continue a State road, to commence at Parish's Grove, where the State road leading from Lafayette in Tippecanoe county, by the way of the outlet of the Cranberry Lake, to Parish's Grove.

An act to locate a State road from Winchester in Randolph county to New Castle in Henry county.

An act to locate a State road therein named.

A joint resolution of the General Assembly relative to procuring tract books and lists of relinquishments.

An act to incorporate the town of New Albany.

An act to locate a certain State road therein named and for other purposes.

An act to amend the act entitled "an act to establish a State road from William Connely's in Lawrence county to Greencastle in Putnam county," approved February 7, 1831.

An act to amend an act to appropriate part of the three per cent. fund and for other purposes, so far as the same respects the county of Green.

An act to incorporate the Richmond, Eaton, and Miami rail road company.

An act for the relief of contractors on the Cumberland road.

An act repealing the 10th section of an act relating to county seminaries," approved February 4, 1831, and for other purposes.

An act to establish a State road from Napoleon in Ripley county to near Jehu Perkins in Rush county, and to locate a State road therein named.

An act making specific appropriations for the year 1832.

An act supplemental to "an act to incorporate the Wabash insurance company.

An act to legalize the sale of the school lands in the counties of Montgomery and Tippecanoe.

A joint resolution relative to the improvement of the navigation of the Wabash and White rivers.

A joint resolution of the General Assembly concerning the public lands.

An act to incorporate, the Ohio and Indianapolis rail road company.

An act to relocate a part of the state road leading from Frankfort to Lafayette.

An act to amend an act entitled an act to incorporate the Franklin county seminary, approved January, 22, 1830.

An act to authorize the location of a state road, from Fort-Wayne in Allen county to Mon-go-qui-non prairie in the county of La-grange.

An act to incorporate the Harrison and White water bridge company.

Mr. Vawter from the joint committee appointed to wait on His Excellency the Governor, in pursuance of the resolution adopted by the two Houses, on that subject, reported that said committee had performed the duties assigned them in said resolution, and have received for answer that he has no further communications to make to the present General Assembly.

On motion of Mr. Cravens,

Resolved, That the Senate be informed that the House of Representatives have gone through with the business before them and are now ready to adjourn *sine die*, and that a similar resolution on their part be requested.

A message from the Senate by Mr. Morris their Assistant Secretary:

Mr. Speaker,

The Senate have adopted the following resolution:

Resolved, That the House of Representatives be informed that the Senate reciprocate their resolution upon the subject of adjournment, and that the Senate are now ready to adjourn *sine die*.

Mr. Slaughter then moved that the House do now adjourn *sine die*;

When the Speaker rose and addressed the House as follows:

Gentlemen of the House of Representatives:

You have determined by the vote this moment given, to close your legislative labors of the present session. It only remains for me as your presiding officer to pronounce the decision from the chair—and closing the sixteenth session of the General Assembly of Indiana, since the formation of the constitution, we shall separate.

Aware of the anxiety and impatience felt by each one of you to hasten a return to his family and friends, I shall not detain you longer than to beg this last tribute of your patience, while I tender my sincere acknowledgments for your kind, generous, and dignified sup-

port upon all occasions while engaged in discharging the arduous duties of the chair; which duties, I believe, have not at any former session been more laborious.

Indeed, when I review for a moment, and recollect what a mass of business, both general and local, has been presented for our consideration, much of which was of a nature peculiarly embarrassing, connected with the appearance of an afflicting epidemic among us, during a winter, so far of unusual severity, which none have escaped, and upon some of whom its mark has been deeply made, I am free to confess that without this support of the House, added to the prompt and unremitting attention of our excellent and experienced clerks, the duties of the chair could not have been sustained by its humble tenant.

Allow me, gentlemen, to say to you, that it is impossible for me to express the high sense of gratitude entertained for the kind and flattering manner in which you have been pleased to notice my services as your presiding officer. Sensible, that if I at all merit, even in part, the distinguishing manner in which those services have been alluded to, it was chiefly owing to your friendly forbearance on some occasions, and generous aid on others. I can only notice this expression of your approbation as an additional evidence of the personal friendship and regard which, at all times during our deliberations, you have manifested towards me—and which, it has been a source of proud consolation to experience.

We have been associated and toiling in the public service near nine weeks. During this time we have tasted both of the bitter and of the sweet. Some have been disappointed, while others have realized every wish. Each having in view but one grand object, the public good—to a full consciousness of having discharged, each one his duty, if you shall be so fortunate as to unite the approbation of your constituents, it cannot fail to render you both proud and happy. If any thing has occurred during this period of our service, calculated to wound the feelings of any one, or leave unpleasant reflections behind, let us remember that we were all laboring in the same vineyard, for the same common interest—and endeavor if possible, to forget not only the fault of a friend, but our own.

I cannot adjourn you, gentlemen, without tendering some expression of the lively sense of gratitude entertained by the members of this body generally, and particularly so by myself, for the hospitality and friendship with which we have been treated by the citizens of Indianapolis, and the earnest desire manifested both in town and country to make us as comfortable and happy as possible during the session.

I feel under many obligations to my honorable friend from Washington, for the ready and salutary relief afforded by him as speaker pro tem. during the several days of my ill health.

This session was opened in the presence of more than seventy mem-

bers of this House—perhaps not more than two of the whole number absent. It is much to be regretted that it must close in the presence of a number only, far less than even a majority. The Legislature has usually been opened with solemn prayer. It would surely be delightful and interesting to all, if on adjourning, after the public business had been closed, with a full body, the same solemnity were observed.

I will detain you no longer, gentlemen. My best wishes accompany you to your respective homes, where by your own fire side, you may enjoy the cheering welcome of “wife, children, and friends.” May health, happiness, and prosperity attend you all through life—and the public voice accord to you its approving sanction for your labors this session:

I now pronounce this House adjourned *sine die*.

And then the House adjourned *sine die*.

WILLIAM SHEETS,
Clerk of the House of Representatives,

APPENDIX (A.)

REPORTS

OF THE

AUDITOR AND TREASURER



REPORTS.

AUDITOR'S OFFICE, }
Indianapolis, December 9, 1831. }

To the Speaker of the
House of Representatives:

SIR,

Enclosed you have my annual report of the Receipts and Expenditures on account of the State of Indiana, which you will be pleased to lay before the House of Representatives.

I am respectfully, Sir,

Your ob't serv't,

MORRIS MORRIS, A. P. A.

AUDITOR'S OFFICE, }
Indianapolis, December 9, 1831. }

In obedience to the act entitled "An act concerning the Auditor of Public Accounts and Treasurer of State," the Auditor submits the following report of Receipts and Expenditures, on account of the State of Indiana, from the 5th day of December, 1830, to the 3d of December, 1831, (both inclusive.)

There was remaining in the Treasury on the 4th day of December, 1830, provided all claims audited to that date were paid

\$33,794 89

Since that period there has been paid into the Treasury on account of

Revenue unpaid for the year	1822	-	\$215 29
" " " "	1825	-	109 50
" " " "	1827	-	25 00
" " " "	1828	-	53 94
" " " "	1829	-	15 25
By collectors of Revenue for	1830	-	30,550 85
" " " "	1831	-	36,53 08

34622 91

For sales of Michigan Road lands	-	48,563 33
From Fund Commissioner of Wabash and Erie Canal	-	12,360 52
From Agent of State for the town of Indianapolis	-	7,799 39
From sales of Seminary lands	-	6,010 80
From sales of lands mortgaged to State	-	615 70

From borrowers of Seminary fund (refunded) - - - - -	2155	00
From Interest received on loans of Seminary funds - - - - -	1740	34
From estates without heirs - - -	345	90
“ Conscientious fines - - - - -	4	65
From Agents of salt springs - - -	143	50
From Superintendant of State Prison - - - - -	800	00
		80,539 18

Making the total am't of Receipts - - - \$148,956 93

Since the above period there has
been audited for Public Printing
and stationary - - - - - 8382 12

For expenses of last General As-
sembly, including pay of members,
clerks and door-keepers - - - 15,247 96

For salaries of executive officers - - - 2,266 67

“ “ Prosecuting At-
torneys - - - - - 1,033 24

For salaries of Supreme and Pre-
sident Judges - - - - - 8,473 15

For allowances to probate Judges - - - 1,734 00

For Adjutant and Quarter Mas-
ters General's salaries - - - 112 50

For expenses of State Seminary - - - 3,739 48

For annual allowance to State Li-
brary - - - - - 125 00

For expenses of State Prison - - - 1,039 52

“ “ “ W. and E. Canal - - - 4,447 47

“ “ “ Michigan Road - - - 49,368 19

“ “ “ Seat of Govern-
ment - - - - - 686 60

For specific appropriations of last
session - - - - - 1413 94

For expense superintending salt
springs - - - - - 41 66

For redemption of wolf scalp cer-
ificates - - - - - 734 50

The amount of loans of Seminary
funds as reported by the Treasurer
of State is - - - - - 5003 00

The amount of contingent expen-
ses as reported by Treasurer - - - 1074 61

Making the total amount of ex-
penditures - - - - - \$104,923 61

From \$148,956 93 (the receipts,
 take \$104,923 61 (the expenditures)
 and there remains in the Treasury
 on the 5th of Dec. 1831, the sum of \$44,033 32

The amount of assessments for the present year is \$12 700 50,
 from which after deducting delinquencies and expenses incident to
 the collection of the revenue, there will probably be realized \$3 7
 500.

During the present year there has been paid into the Treasury of
 old delinquencies \$418 98. A considerable portion of the fines
 against delinquent collectors, the Auditor is advised by the District
 Attorneys, in whose hands they are placed, will ultimately be saved;
 several are already secured.

Respectfully submitted,
 MORRIS MORRIS, A. P. A

To the Speaker of the House of Representatives:

Herewith is submitted to be laid before the House, the Treasurer's
 Report, the Loan Office Report, the List of Borrowers, from the
 Loan office, the cost of Stationary and the Contingent Expenses.

I have the honor to be, &c.

SAMUEL MERRILL

December 8, 1831.

(NO. 1.)

TREASURY DEPARTMENT, }
 Indianapolis, December 8, 1831. }

The Treasurer in obedience to the directions of the Act concern-
 ing the Auditor of Public Accounts and Treasurer of State, re-
 spectfully submits the following report of the Revenue and Expendi-
 ture of the State, from December 4th, 1830, to December 3d, 1831.

Cash on hand Dec. 4th, 1830	-	\$34059 91
Receipts from that day to Dec. 3d, 1831.		
From Revenue assessed for	1832	\$215 29
" " " " " "	1825	109 50
" " " " " "	1827	25 00
" " " " " "	1828	53 91
" " " " " "	1829	15 25
" " " " " "	1830	30550 85
" " " " " "	1831	3653 08

Total Revenue - - - \$34622 91

From the Agents for Indianapolis	7799 89
" " Canal Commissioners	12360 52
" " Superintendent of the State Prison	800 00
" " Commissioners of the Seminary Townships	6010 80
" Loans refunded	2155 00
" Interest on loans	1740 34
" Sales of mortgaged land	615 70
" Estates without heirs	345 90
" Milina fines	4 65
" Rents of salt spring reserves	143 50
" Sales of Michigan Road lands	48563 33

Total, - - - - - \$149221 97

Payments from the Treasury during the above period	
to the Adjutant and Quarter Master Generals	112 50
For advertising Presidential election	1 00
Salaries of Prosecutors	1033 24
" " Executive officers	2266 67
" " Judges	8717 19

Legislative Expenses:

Pay and mileage of members	\$12412 46
" of Clerks and Door-keepers	2835 50
	\$15247 96
Specific appropriations	1413 94

Printing and Stationary:

Paid the Public Printers	\$2295 26
" Book binders	2304 85
" for stationary and carriage	3361 01
" for distributing Laws	321 00
	8382 12
Pay of Probate Judges	1734 00
Premiums for wolf scalps	733 50
Contingent expenses	1074 61
State Library	125 00
" Prison	1025 77
Salt springs	41 66

Making the ordinary expenses amount to \$41909 16

There has also been paid

For Michigan Road	824 86
State Seminary	3739 48
Seat of Government	686 60
Loans of Seminary funds	5003 00
Wabash and Miami Canal	4447 47
Michigan Road scrip	48563 33

Balance in Treasury	44018 07
	<hr/>
	149221 97

The cash on hand consists of the following items:

Wabash and Miami Canal fund	\$23719 74
Indianapolis fund	13878 44
Seminary fund	366 67
Conscientious fines	566 50
There are outstanding warrants for	14 75
Salaries of Judges, Prosecutors Adj. Generals, due, but not audited, amounting to	1367 68
Claims of Probate Judges, (estimate,)	1200 00
	<hr/>
Making in all	\$41053 78
Which deducted from the cash on hand, leaves	2994 29
The Revenue of 1831 to be paid subsequently to the 4th, will probably amount to	34000 00
Old arrearages	500 00
	<hr/>
	\$37494 29

The expenses of the ensuing year may be estimated
as follows:

Salaries of Judges and Prosecutors	8200 00
Executive officers	2400 00
Printing and Stationary	4000 00
Legislature	16000 00
Contingencies	1000 00
State Prison	500 00
Wolf scalps	800 00
Probate Judges	2000 00
Specific appropriations	1200 00
Presidential election	600 00
State Library, Adjutant General, &c.	300 00
	<hr/>
	37000 00

Which will leave in the Treasury, 1st December, 1832, \$494 29.

The revenue of the present year will probably exceed that of the last more than \$3000, and this ratio of increase may be expected to continue for several years. But if the Canal and Indianapolis funds should be withdrawn from the Treasury, an increase of revenue, at least to the amount anticipated, must be very desirable to meet the necessities of liberal legislation. It is very gratifying to be able to state that there was but one delinquent out of sixty-three collectors for the year 1830. A few years since, the State Debt was nearly

30,000 dollars, and not one in ten of the collectors settled their accounts at the Treasury within the time prescribed to them by law. The debt has been paid—the taxes have been reduced nearly 50 per cent, and the ability and willingness to pay is evidenced by the delinquent lists of collectors, which in general do not exceed half what they formerly were in proportion to the sums collected.

Respectfully submitted,

S. MERRILL.

(No. 2.)

Report in relation to the Loan Office, from 4th December, 1830, to the 3d December, 1831.

Received from James Borland commissioner of the Seminary township in Monroe,	4135 80
Received from James Smith commissioner of the Gibson township,	1875 00
“ From the purchasers of Lane and Clark’s lands, sold for non payment of interest,	615 70
Interest paid on loans,	1740 34
Loans refunded,	2155 00

\$10521 84

During the above period, loans have been made as per list accompanying to the amount of	\$4888 50
Amount to be paid in five years, for Clark’s land, interest annually in advance,	114 50
Salary and allowance to superintendent,	91 00
Paid to the Recorders of Gibson and Monroe,	40 95
Salaries of President, Professors and Tutor,	1950 00
Expenditures on College buildings,	1657 53
Anticipation of the fund in 1829 and 1830,	1472 69
Cash on hand,	306 67

\$10521 84

In addition to the twelve half qu’rs, the proceeds of which have been appropriated to the erection of buildings, there have been sold in the township in Monroe 209 half quarter sections for \$35373 80, of which \$16370 92 has been paid and interest also paid on the balance to the amount of \$4683 92. In the Gibson township 151 half qu’rs of land have been sold for \$19769 13, of which \$9814 80 has been paid and also \$1966 22, interest on the balance. There are still unsold in said township 145½ qu’rs of land, 20 of which are in the reserved sections, near the College.

The following exhibits the state of the funds:

Rents received,	-	-	-	119 00
Principal paid for land,	-	-	-	28557 68
Interest "	-	-	-	6650 14
" paid on loans,	-	-	-	6363 04
Due from purchasers of lands,	-	-	-	28957 21
Estimated interest,	-	-	-	1600 00
				<hr/>
				\$72247 07

Deductions:

Specific allowances by Legislature,	-	-	-	620 19
Superintendent's salary, &c.	-	-	-	323 24
Recorders of Gibson and Monroe,	-	-	-	191 72
Orders of College Trustees,	-	-	-	8526 84
Allowance to commissioners,	-	-	-	1267 86
Balance in favor of the College,	-	-	-	61317 22
				<hr/>
				\$72247 07

The tracts of land mortgaged by the late James Noble, have again been exposed to sale for non-payment of interest, and no purchaser appearing, they were struck off to the State, for the use of the College. It is respectfully suggested that the superintendent should be authorised to sell those lands in separate parcels, and at a sacrifice if necessary. In no other instance is a loss anticipated to the fund and in this case should a sacrifice be made the loss will be soon balanced by advances made on the sale of other lands, and the payment of loans before they become due. The superintendent has hitherto been making loans to the applicants, under his notice in April 1828, in the order their names were drawn by lot. Those applicants being now supplied, unless otherwise directed by the Legislature, public notice will be again given, and loans will be furnished to the *best* applicants, in the manner before adopted. The immense number of applicants, perhaps a thousand times as many as can be supplied, render some course of the kind necessary to avoid constant importunity.

Respectfully submitted,
S. MERRILL.

(No. 3.)

List of the borrowers of the Seminary fund from 6th Dec. 1830, to 4th Dec. 1831.

Walter Wilson,	-	-	-	-	\$500 00
William McLaughlin,	-	-	-	-	50 00
Amasa Makepeace,	-	-	-	-	300 00

Robert Brenton,	100 00
John Thompson,	100 00
James McCormick,	140 00
Martin L. Miller,	230 00
Enos Blair,	175 00
Alexander Little,	500 00
Robert Ferris,	150 00
William Roberts,	50 00
Livingston Dunlap,	87 50
Ambrose Sherley,	80 00
Henry Allcorn,	150 00
Noah Noble,	80 00
Stephen Marsters,	200 00
Thomas Irons,	200 00
Minor Roberts,	100 00
William Evans,	500 00
Stephen Yager,	100 00
Samuel Dabney,	250 00
Samuel Fullen,	66 00
Thomas Oneal,	180 00
Lewis Morgan,	100 00
James Butler,	100 00
Joseph Orr,	300 00
Absalom Cruse,	100 00
	<hr/>
	\$4888 50

The above is correct.

S. MERRILL.

December 8, 1831.

(No. 4.)

Expense of Stationary for the use of the State, paid since the Report of last year.

Paid to William Sheets,				
1830, Jan. 28,	2 boxes for paper,	-	-	\$1 50
	1 Ream of Envelope paper,	-	-	5 00
" Mar. 25,	34 Reams Royal No. 4,	\$3 50	-	119 00
	11 " " No. 5,	3 25	-	37 38
	3 boxes,	-	-	1 75
1831, Jan. 7,	4 Reams post, No. 1,	3 75	-	15 00
	9 " " 2,	3 25	-	29 25
	6 " " 3,	3 00	-	18 00
	one box,	-	-	50

403½ Reams Royal, No. 3,	4 00,	1615 00
93½ " " 4,	3 50,	327 25
146½ " " 5,	3 25,	476 12
40 " Medium, 5,	3 00,	120 00
17 " Cap, 3,	2 75,	46 75
37 boxes at 75, 2 at 62½	-	29 00

Mar. 5, Bought of Phillips, Speer & Drake,		
40 Reams Royal No. 3,	4 00,	160 00
3 boxes,	-	2 25

Paid for carriage:

Dec. 4, 1830, to G. W. Gibbs,		17 28
Jan. 28, 1831, " "		27 42
Feb. 19, " Gibbs & Childers,	-	59 34
" 28, " James Y. Brisbin,	-	2 31
Mar. 8, " Brisbin & Dunn,	-	32 81
" 14, " Rezen Reagan,	-	14 00
Apr. 5, " James Y. Brisbin,	-	16 58½
" 27, " James Wilson,	-	34 26
May 7, " " "	-	8 50

Bo't of Phillips, Speer & Drake,

Oct. 19, " 2 Reams Ames letter paper,		12 00
" 3 " Gelpins " "		15 00
" 400 quills No. 4,	2 70,	10 80
" 400 " No. 5,	2 10,	8 40
" 1000 " No. 7,	1 20,	12 00
" 2 doz. Sand boxes,	12½,	2 50
" 4 " Inkstands	1 00,	4 00
" 6 " Ink powder,	1 25,	7 50
" 6 " Narrow tape,	62½,	3 75
" 2½ " Wide, " 1 00,		2 50
" 3 " Crayons,	25,	75
" 6 lb. wafers,	1 12½,	6 75
" 37 lb. sand, 5, cts. keg	25,	2 10
" box,	-	50

Oct. 23,	paid N. Cline for carriage,	25 00
Nov. 30,	Bo't of J. & P. Landis,	
	2000 quills, at \$2 00, per M.	4 00
	48 pieces ribbon,	15,
	2 doz. snuffers,	1 50,
	1 box candles,	12½, per lb.
	Expense of purchase and carriage,	11 12½

\$3361 01½

The above is correct.

S. MERRILL.

(No. 5.)

Payments from the contingent fund, from the 4th December, 1830, to the 3d of December, 1831.

1830, Dec. 13,	To Joseph Robinson for transporting arms,	6 25
" " "	Thomas Bell for attending Court Martial,	3 00
1831, Jan.	Elijah Mitchell advertising Michigan Road,	10 00
	Samuel Henderson for postage,	41 12
	Thomas Givens attending Court Martial,	4 00
	McCarty & Williams for Stationary,	32 66
	Robert Ray reclaiming fugitive,	25 00
" Feb.	I. N. Heylin for copying resolutions, &c.	49 99
" " "	James Forsee " " "	55 92
" " "	Samuel Henderson for postage	6 74
	Tho. Donellan, book case for Adj. Gen.	10 00
	Brown and Morrison for stationary,	30 12
	John Cain, blank book for Auditor,	2 44
" March,	Samuel Brown, removing state library,	2 00
	Livingston Dunlap, for stationary,	5 75
	Morris Morris, " " "	7 50
	Shadrach Lequat, fuel for legislature,	50 25
	John Cain, postage	19 42
" April,	Sam'l Williams, register of lands ent'd,	233 59
	James Forsee, for bearing an express,	20 00
	John Givan, for stationary,	3 88
" June,	George Smith, for pursuing fugitive	70 00
	Morris Morris, for copying tract books,	233 59
	F. T. Luse, book and paper case for treas'r,	25 00
	Oliver Morse, for packing laws,	1 50
	John Cain, for postage,	35 08
	Nat. Cox, for making boxes for laws,	31 50
	John A. Crabb, for pursuing fugitive,	50 00
	Conner and Harrison, for stationary,	8 31

\$1074 61

The above is correct.

S. MERRILL.

(B.)**REPORT****OF THE AGENT OF THE THREE PER CENT. FUND.***A Statement of the situation of the 3 per cent. Fund, December 1, 1831.*

No. of Road.	ROAD COMMISSIONERS.	Appropriation to each road.	Drafts paid.	Balances due.
2	John I. Neely - -	6,767.38	6,767.38	
3	Archibald Campbell - -	2,708.87	2,569.41	139.46
4	Andrew Cavitt - -	2,709.57	2,709.57	
5	Isaac Montgomery - -	3,079.24	3,079.24	
6	William M'Cormick - -	4,928.93 $\frac{1}{2}$	4,501.31	427.62 $\frac{1}{2}$
7	Michael Buskirk - -	4,835.01	4,834.09 $\frac{1}{2}$	91 $\frac{1}{2}$
8	Ezekiel Blackwell - -	7,563.69	7,145.54	418.15
9	Richard Beem - -	8,506.96	8,506.96	
10	William Richards - -	2,674.00 $\frac{1}{2}$	2,199.76 $\frac{1}{2}$	474.24
11	John G. Clendenin and Corneli- us Berkshire - -	4,990.63	4,990.63	
12	George White - -	2,712.23	2,701.19	11.04
13	John M. Lemon - -	3,250.80	3,250.80	
14	Gara Davis - -	3,033.80	2,995.70	38.10
15	William C. Bramwell - -	5,750.57	5,750.50	07
16	Simeon Slawson - -	3,166.62	3,166.55	07
17	John Walker - -	6,333.33	6,333.33	
18	David Mount - -	3,862.44	3,862.44	
19	Stanhope Royster - -	3,842.40	3,842.40	
20	John C. Kibby - -	4,192.75	3,932.14	260.61
21	John Way - -	2,672.56	2,672.56	
22	James Blake - -	897.36 $\frac{1}{2}$	897.36 $\frac{1}{2}$	
23	John Barricklow - -	1,000.00	1,000.00	
24	Franklin F. Sawyer - -	437.07 $\frac{1}{2}$	437.07 $\frac{1}{2}$	
25	Wabash Fund - -	4,675.86	147.34	4,528.52
26	Robert M'Intire - -	441.32 $\frac{1}{2}$	211.08 $\frac{1}{2}$	230.24
27	George Ewing - -	2,423.25	1,698.22	725.03
28	James Ball - -	1,009.37	1,009.21	16
29	William Sanders - -	1,738.35	1,738.35	
30	William Caswell - -	550.00	550.00	
31	William Polke (special app'n.)	114.00	114.00	
32	Reuben Bates & Alanson Warner - -	1,000.00	569.73	430.27
33	Rezin Davis & Joseph Nicholas	1,506.92	1,506.92	
34	Chester Elliott - -	50.00	50.00	
35	William H. Heath and Jordan Wright - -	1,240.00	1,240.00	

No. of Road.	ROAD COMMISSIONERS.	Appropriation to each road.	Drafts paid.	Balances due.
36	Morgan Shortridge, Zenas Beckwith, James Scott -	1,149.00	1,149.00	
37	George Piercy - -	1,066.77½	987.88½	78.89
38	James McFarland & Joseph Hill - - -	1,000.00	1,000.00	
39	Elias Poston - - -	100.00	100.00	
40	Adam Shoemaker - -	330.00	330.00	
41	Jonathan John - -	50.00	50.00	
42	James Barnett - -	250.00	250.00	
43	Jacob Andrick - -	500.00	500.00	
44	John Deny - - -	1,000.00	1,000.00	
45	Amos Robinson - -	1,500.00	1,500.00	
46	Thomas Gillan - -	200.00	200.00	
47	Joseph Potts - -	500.00	500.00	
48	Thomas Craner - -	1,000.00	1,000.00	
49	Daniel Heaton - -	800.00	800.00	
50	John McCullough - -	500.00	500.00	
51	Meridith Gosney - -	750.00	750.00	
52	William M'Creery - -	1,500.00	1,500.00	
53	Charles Martin - -	100.00	100.00	
54	William Dickey - -	100.00	100.00	
55	Mount Vernon to Collins' ferry	125.00		125.00
56	Bridge over Fall Creek	300.00		300.00
RIVERS.				
1	Samuel Cobb - - -	300.00	300.00	
2	Joseph Baugh - -	200.00	200.00	
3	Hugh Moore - - -	300.00	300.00	
4	John Hackleman - -	200.00	200.00	
5	Jacob Goodlander - -	225.00		225.00
6	John Noris - - -	175.00	175.00	
7	James Duckworth - -	100.00		100.00
8	James Alexander - -	100.00	100.00	
9	John Brizley - - -	300.00	300.00	
10	Orson Willard - -	150.00	150.00	
		119,536.08	111,022.69	8,513.39

Received from the Treasury of the United States		\$119,294.32
“ “ State Treasury, on account of Canal		
Fund, see Acts, 1828	- - -	2,550.00
		<hr/>
		121,844.32
Retained to meet agent's Commission	- - -	2,675.22
		<hr/>
		119,169.10
Postage paid S. Henderson, up to July 1830	- - -	7.88
		<hr/>
		119,161.22
Stationary, up to July 1830	- \$20.00	
Desk and Case for Agent's office	15.00	
48 days, settling with Commissioners,		
see Acts, 1829	- 96.00	131.00
		<hr/>
		119,030.22
Appropriated over the sum drawn from the Treasury		505.86
		<hr/>
Appropriated to different Roads and Rivers	-	119,536.08
Commissioners' Drafts Reported last		
year	- 109,728.99	
Drafts since paid and now reported	1,293.70	111,022.69
		<hr/>
		8,513.39
Appropriated over the amount drawn from the Treasury		505.86
		<hr/>
Remaining on hand	- - -	\$8,007.53

On the third day of March last, I wrote to the Secretary of the Treasury, requesting him to forward me a draft for the amount of three per cent. fund due the State for the year 1830. Immediately after, the commissioner of the General Land Office informed me that the sum due the State of Indiana, up to the last day of June, 1830, was \$2,957.57, and soon after forwarded me a draft for that amount, which I would have apportioned to the different counties, but, that in many of them the appropriation is to be applied to so many specific objects, that the amount to each would not have exceeded ten dollars. So soon as I received the commissioner's letter I wrote to the different Receivers of Public monies throughout the State, requesting statements of the amount received by them on account of the sales of Public Lands for the year 1830, and again wrote to Mr. Ingham. I received answers from the Receivers, but not a line from Mr. Ingham. When Mr. M'Lane took the management of the department, I addressed him, and requested a correction of the error, as to amount, and a draft for the balance due the State for the year. Soon after

Mr. Hayward informed me that an error of \$4000 had been made, but not one word concerning my draft, and thus the matter rests with us.

Respectfully submitted.

B. I. BLYTHE, Ag't. 3 per ct. fund.

1st December, 1831.

(C.)

MR. NOBLE'S REPORT.

To the Honorable, the General Assembly of the State of Indiana:

The undersigned, your commissioner on the Michigan Road, respectfully reports—That since the close of your last session, on that part of the line, then under contract, between the Ohio and Wabash rivers, the contractors have progressed as rapidly as the frequent rains of the summer and autumn would permit; and but for the early setting in of winter, it is believed few of the sections would have remained unfinished on the 30th November, the day on which the work was to have been completed. Seventy-nine sections, of one mile each, have been received—sixty-three miles more are ready for inspection, but owing to the late fall of snow and the closing of the ponds with ice, which forbade such an examination as would justify it, they have not been received. On the remaining sections, about three-fourths of the labours have been performed.—Of the contractors who are delinquent, some have been driven from the field by the inclemency of the weather, while others are still prosecuting the work at the sacrifice of their resources and risk of health. Knowing that the extraordinary seasons have embarrassed their operations and produced the delay, I feel it a duty, and have been requested to bespeak a little indulgence at your hands.

The law regulating the granting of scrip, seemed to contemplate an issue, only upon the completion of the work as bid off by each contractor, and to have conformed to its letter, not more than fifteen thousand dollars in scrip, would have been thrown in circulation by the day of the sales of the road lands; but as the sales were ordered a month before the elapse of the time allowed the contractors, the commissioner, to afford them additional active resources, and to increase the means for competition at the sales, felt himself justified in issuing scrip to the extent of the progress of the work, amounting to something more than forty-nine thousand dollars.

As regards that part of the line, ordered to be opened, north of the Wabash, your commissioner further reports—that the legislature, at its last session, designated the 3d Monday in October for the sale of the Michigan Road lands, and directed your commissioner, on or before the 4th Monday in August, to place under contract, that part of the line between Logansport and the southern bend of the St. Josephs, *provided* funds should have been obtained from the sales in October, a contingency that could not happen. Believing the legislature did not intend to defeat its object, by the appendage of this pro-

viso—supposing that body intended the commissioner to proceed, provided there was a reasonable prospect of funds, and knowing that the public interest loudly called for the opening of the road, he had it laid off and advertised for sale. But as Judge Polk, who was charged with the selection and survey of the lands, had not at that time succeeded in a conference with the Indians, which subsequently enabled him to extend his surveys, your commissioner, not having a reasonable assurance of a sufficient fund, suspended the sales of the road for the further order of the legislature.

All of which is respectfully submitted.

N. NOBLE.

The following items of expense constitute the sum, for which the road fund is liable this year, to wit:

Aquilla Rariden, surveyor, as per his account herewith	\$65 00
Jacob Smith, chain carrier,	25 50
Peter Deckan, marker,	22 50
John Moore, packer,	7 50
John Lindsey, "	18 00
Henry Ward, chain-man,	22 50
	<hr/>
	\$161 00
N. Noble's services this year, 77 days,	154 00
	<hr/>
In all,	\$315 00

To the Senate and House of Representatives of the State of Indiana in General Assembly met, the undersigned commissioner of the Michigan Road lands—reports:

That on receiving a copy of the act of the 4th of February, 1831, appointing him sole commissioner to complete the selecting and surveying of the sections of land, granted to the State of Indiana for the purpose of opening a road from Lake Michigan by way of Indianapolis to some convenient point on the Ohio river, he immediately entered on the duties of his office in collecting and arranging information and facts to enable him to open the necessary correspondence with the commissioner of the General Land Office of the United States, as provided for in the 17th section of the above recited act.

That on seeing the act of Congress, approved March the 2d, 1831, confirming the selections heretofore made, he on the 2d day of April, addressed a letter to the commissioner of the General Land Office, of which the paper marked (A.) herewith transmitted is a copy, and also on the same day addressed a letter to Gen. Jno. Tipton, Indian agent at Logansport, of which the paper marked (B.) is a copy; he then proceeded to Indianapolis in order to comply with the requisitions of the law in filing his bond, agreeably to the 15th section of the above recited act, appointing him sole commissioner.

On his arrival at that place, he learnt with surprise that the law had not been published by authority of the General Assembly; but had been published in the Indiana Democrat, a newspaper printed at Indianapolis, by request of a private person. It was consequently not in force, neither would it be until after the publication of the volume of the laws by authority. Owing to the exigency of the case, he adopted the course to be pursued by him in the prosecution of the various duties enjoined on him by the requisitions of the above named act, and which he communicated to the Indian agent, of which the paper marked (C.) is a copy; which will explain to the General Assembly his course and conduct.

On the 19th of April, he addressed a letter to the Register of the Land Office at Fort Wayne, of which the paper (D.) is a copy.—Having completed the preliminary arrangements, he returned to Vincennes, and on the receipt of the answer to his communication from the acting commissioner of the General Land Office, of which the paper (E.) is a copy, he proceeded without delay to comply with the requisitions of the General Land Office of the United States.

From the description of the Map and field notes required, it be-

came necessary to connect the section lines of the public surveys by actual measurement with the Road, at each township and range line, which required the employment of a surveyor, and a competent number of hands to execute the work as early as practicable; so that the selections might be completed as contemplated by the General Assembly. In accordance with these views, he took a journey to the Lake, and employed a surveyor and the requisite number of hands, and set them to business; and while they were engaged, he spent a few days in exploring the Indian country in order to be prepared to make judicious selections, and then chose the lands since surveyed for that purpose. On the 15th of June, on his return from the Lake, he addressed to Gen. John Tipton, Indian agent, a letter, of which the paper (F.) is a copy, and to which the paper (G.) is his answer. From thence he proceeded to Indianapolis to make arrangements to have the Road surveyed and connected with the public surveys from the Governor's Circle, in the town of Indianapolis, to Main street, in the town of Greensburgh, to enable him to make out the map of the entire line of the Road conformable to the views of the General Land Office of the United States. On the 24th of June, the paper (H.) was addressed to the Surveyor General of the United States for the States of Ohio, Indiana and the Michigan Territory, for the purpose therein named; to which request the necessary appointment of Deputy Surveyor was duly received from that office. Having completed the surveying and connecting the public surveys with the Road, and made out the required maps and field notes, they were on the 2d day of July, forwarded to the General Land Office with a letter, of which the paper (I.) is a copy. He also had a similar map made out and filed in the Secretary of State's office for the use of the State of Indiana.

Having now fully complied with the requisitions of the commissioner of the General Land Office, the undersigned returned to his residence in order to make the necessary preparations to attend the proposed Indian council, and survey the lands that might be selected. On the 3d day of August, he received a note from Gen. Tipton, requesting his attendance at the council, on the 20th of said month, at the Pottawatamie mills, near Tippecanoe in the Indian country. On the 10th of said month he proceeded by way of Indianapolis to attend said council; and at the same time, as was necessary, he dispatched a competent person to the land offices in whose districts the selections were made, to procure the proper maps and papers to ascertain the number of sections to be selected both in the Indian country and the United States' lands, so that no delay in the completing the selecting and surveying of said land would disappoint the just expectations of the General Assembly in having those lands prepared for being offered for sale at the time prescribed by law.

On the 20th he arrived at Logansport, and proceeded in company with Gen. Tipton to the proposed council, who succeeded, on the last day of August, in obtaining from the Pottawatamies of the Tip-

pecanoe and Yellow river, their partial consent for us to select the required number of sections north of the Kankakee in the neighborhood of the Pottawatomies residing near the line between the State of Indiana and the Michigan territory.

It being necessary to obtain the consent or approbation of the Indians in the immediate vicinity of the lands, Gen. Tipton, on the 1st of September, dispatched Gen. Grover, sub-agent, with an interpreter in company with the undersigned, with a letter to Col. Stewart, the agent of the Carey mission in the Michigan territory, with a request that he would assist with his influence and counsel in procuring the consent of the Indians within his agency to the proposed selections, to which request he politely and promptly attended, by summoning the chiefs and warriors in his vicinity to a council at the mission on the 4th, where, after considerable discussion in which the Indians objected to the surveys being made, as not being included in the treaty, they at length so far consented as to agree not to molest the surveyors, but wished it to be distinctly understood that they did not give their consent to the selections being made in their country nor agree to the construction given by the United States to the treaty.

It is proper here to state that Gen's Tipton and Grover and Col. Stewart of the Indian department, have by their prompt and zealous co-operation and support rendered the most important services to their country, and are entitled to the gratitude of the State of Indiana; as without their aid the lands selected could not have been obtained. The difficulties with the Indians being adjusted, and there being no other obstacle to the surveying of the lands, he personally superintended the same in order to hasten the completion thereof; and so soon as the surveying was performed, he hastened to Logansport to have the proper Books, Maps, and papers prepared for the approaching land sales. Having received the necessary Maps, notes of reference, &c. from the U. S. land offices at Fort Wayne and Crawfordsville, to enable him to complete the selections that remained to be taken out of the public lands of the U. S. The undersigned in his late tour, while the surveys were progressing, examined the U. S. lands sufficiently to satisfy himself that in the vicinity of the lands then surveying the most judicious selections could be made.

He on the 30th Sept. proceeded to Crawfordsville, to complete the selections at that office, as from the frequency of sales of the public land, such a course was necessary to avoid selecting lands previously sold by the U. States; the paper (L.) is a copy of the selections then made.

On the 4th October, having returned to Logansport, he was enabled by constant attention in assisting the surveyors, and clerks in his employment, to have the necessary maps, tract books, and papers prepared for the sales agreeably to the expectations of the General Assembly.

The paper (M.) is a register of the sales with the No. of certificates and such other information as is necessary respecting the land sales.

By a reference to the Maps from which the sales were made, it will be seen that the principal sales were made in the recently selected lands, and that the greater part of the former selections remain unsold; but few tracts having been sold on the road through the Indian country. The undersigned fully believes that so soon as that part of the road is directed to be opened, advantageous sales may be made, since a large portion of the lands are of an excellent quality.

The paper. (N.) herewith submitted, will shew the amount of expenses and contracts entered into.

From the various and complicated duties the undersigned has had to perform in the prosecution of the business, the list of expenses has unavoidably been increased; but when it is taken into view that he has been enabled to adjust all, or most of the difficulties with which the business has been surrounded, and to procure all the necessary Books, Maps and Charts, and to present the business in something like a systematic form to the General Assembly, he trusts that those expenses will not be deemed extravagant.

The paper (O.) presents in a tabular form a recapitulation of the business in a condensed shape.

There yet remains to be selected and surveyed one section three quarters and fifty four acres, thirty seven hundredths (or 1174 acres 37 hundredths) to complete the entire road grant. The commissioner has not been able to have all the maps necessary for the different offices completed, and on that account cannot at this time adjust and balance all his accounts.

By a reference to the papers now submitted and an examination of the books, maps and papers in his office the General Assembly will be enabled to legislate on the business in that way that they may judge proper.

All of which is respectfully submitted.

Dec. 14th, 1831.

WM. POLKE, C. M. R. L.

(A.)

VINCENNES, April 2d, 1831.

SIR:

By the accompanying law of the State of Indiana, you will perceive that it is made my duty to immediately open a correspondence with you, on the subject of the lands granted by the Chiefs and Warriors of the Pottawatamic Tribe of Indians, by the treaty of Oct. 16th, 1826, to the State of Indiana, for the purpose of making a road from Lake Michigan through Indianapolis to some convenient point on the Ohio river, and confirmed to said State by an act of Congress, approved March 2d, 1827.

As it is important to the State of Indiana, that the difficulties be speedily adjusted, and the selections be completed, I have respectfully to request your attention to the following points, to enable me to have a proper understanding of the principles on which the remaining selections are to be made, and thereby obviate any difficulties or delays.

1st. Are the field notes of the survey, and location of said road, transmitted to the General Land Office, by the Secretary of State, in pursuance to a joint resolution of the General Assembly, of the State of Indiana, sufficient, or must a complete and entire copy of the field notes of the entire line of the whole road with a plat annexed, (agreeably to the proviso in the 1st section of An act of Congress, approved March 2d, 1831, entitled, "An act confirming the selections heretofore made of lands for the construction of the Michigan road in the State of Indiana,") be transmitted your office, previous to any further selections being made or approved of?

2d. In the further selection of the said lands, is the law above named to be so construed as to authorise the selection of lands in any part of the Crawfordsville and Fort Wayne districts, or must the state be confined to that part of said districts that was purchased of the Pottawatamie nation, by the treaty of 1826 and 1828.

3d. How far must the commissioner for selecting the lands for the state conform to the views taken of the subject by Mr. Moore, acting commissioner and approved by the Secretary of the Treasury, or does the above named law give the state the choice of selecting either in the Indian country or the U. S. lands?

4th. Will selections by sections or fractional sections be approved of?

It is proper to inform you that so far as the road passes through the Indian lands, that one section was selected and surveyed, including the road, deducting one hundred feet wide in the calculations for the road.

I solicited and obtained a deputation as surveyor from the surveyor General of the U. S. for the States of Ohio Indiana, and the Michigan territory, in order that the returns of survey might arrive at the land office through the same channel. Another point of some consequence I will here beg leave to call into view, that a perfect understanding may hereafter exist.

By the treaty, one hundred feet wide is granted, and also one section for each mile of the road.

The Sections selected which I did not survey myself were returned without any deduction of the hundred feet for the road.

It might be desirable to learn of you what your opinion is of this matter, and you will please for my guidance to advert to it.

Your special attention to the foregoing is respectfully solicited in behalf of the State of Indiana, to prevent any further delays or mis-

understanding as you will thereby subserve the interests of said State, and oblige yours, &c.

With sentiments of high consideration.

WM. POLKE, *Com. M. R. L.*

HON. ELIJAH HAYWARD, *Com. G. L. Office.*

(B.)

VINCENNES, April 2d, 1831.

SIR:

On this day week I expect to start to Indianapolis, to make out and transmit, to the General Land Office, a copy of the field notes of the survey of the road, and a plat, as the law of Congress makes it necessary, previous to any further selections being made, or approved of.

As I am certain such a course will be necessary, I herewith enclose you the copy of a letter, I this day mailed for the commissioner of the General Land Office, so that if you may think it necessary to have any correspondence with the Secretary of War, on the subject of any further selections in the Indian country, you may be in possession of the nature of the correspondence with the land department.

Write to me at Indianapolis, on the receipt of this, and let me know where I shall see you, as I want an interview with you on the subject of the selections, as both the State and General Government have approved our course last year. I hope to merit their approbation this, as nothing more can be done to forward the selections till I hear from the land office. When we meet we can digest our plan, &c.

Yours with sentiments of esteem and respect.

WM. POLKE, *C. M. R. L.*

GEN. JOHN TIPTON, *Indian Agent.*

(C.)

INDIANAPOLIS, April 15th, 1831.

SIR:

I have difficulties and responsibilities to encounter of a serious nature. I find that the law, under which I act, has no clause as to the time of its going into effect, neither has there any resolution to that effect been passed, consequently the law will not be in force until after the publication of the volume of laws, which will not be sooner than August, which, were we to wait for, would nullify our proceedings, and bring ruin on the road contractors and injure the character of the state.

What must be done? I have determined on my course. I shall re-

remain here until the return of the Governor, who is absent, and present my bond for his approval, which if he approves, I shall proceed to comply with the requisitions of the law, and perform my duties in all respects as if it were completely in force, relying confidently in being sustained by the General Assembly. We must all be on the alert. I need not tell you how much I rely on your exertions to be sustained in my course, &c.

I hope soon to hear from you, and so soon as I hear you have returned home I must see you, and have a consultation as to the proper course to proceed.

I remain yours, with sentiments of respect, &c.

WM. POLKE, C. M. R. L.

Gen. JOHN TIPTON, *Indian Agent.*

(D.)

INDIANAPOLIS, April 19th, 1831.

SIR:

It is made my duty, by an act of the General Assembly of the state of Indiana, concerning the selections and sales of the Michigan Road Lands, to make out complete sets of maps and field notes of all the land, as well that which has heretofore been selected as that yet to be selected and surveyed, and as Congress has, by an act approved March 2d, 1831, entitled an act confirming the selections heretofore made of the lands for the construction of the Michigan road in the state of Indiana, confirmed to the state all the lands selected, that remains unsold, and the privilege of selecting other lands in lieu of those sold.

I have to request of you the favour, to make out and forward to me at Logansport, as complete a set of maps and field notes as you conveniently can, of the lands selected and forwarded to your office, noting on the same the parts sold, to enable me to complete the selections, in time to have them prepared for sale against the time named in the law of Indiana.

Your attention to this business will be acknowledged as a favour.

Your ob't serv't,

WM. POLKE, C. M. R. L.

ROBERT BRACKINRIDGE, Esq.

R. L. O. *Fort Wayne.*

(E.)

GENERAL LAND OFFICE, May 5th, 1831.

SIR:

I have to acknowledge the receipt of your letter of the 2d ult. covering a copy of the act of the state of Indiana, approved on the 4th of February last, appointing you sole commissioner for laying out and making the road from Lake Michigan to the Ohio river, and requiring you to open a correspondence with this office upon the subject.

Before any additional selections or locations can be made, it is essentially necessary, that the proviso to the 1st section of the act of Congress of the 2d March last, should be complied with, by your filing in this office "an accurate survey and plat of the said road, throughout its entire line." This map must show the connection of the road with the sectional lines of the public surveys, so far as they have been made; and be properly certified by you.

The map and field notes sent to the treasury department, by the Secretary of State of Indiana, during the last winter, do not meet the requirements of the act of Congress, or of the 5th section of your state law of February last.

The act of the 2d of March last, legalizes the previous locations so far as they have not been sold by the United States, and authorizes the selection out of the other public lands in the state of Indiana, of such quantity as may be equal to that portion of the previous selections which has been sold by the government; but it does not affect the selections of the balance of the grant to the state, and the department seeing no cause to doubt the correctness of the construction heretofore given to the nature of the cession intended to be made by the 2d Article of the Pottawatamie treaty, 1826, all the land to which the state is entitled, for the purpose of making the road, after having deducted therefrom such quantity as may be contained in the "selections heretofore made," referred to in the act of March last, must come out of the present *Indian* lands in the state of Indiana.

The width of one hundred feet, ceded for the road, is in addition to the contiguous section for each mile; but this width of one hundred feet is ceded only so far as the road passes through lands belonging to the Pottawatamies, after the session made to the United States by the 1st Article of the treaty of 1826, and must be taken out of those lands.

The same restriction applies to the contiguous sections, except so far as it has been departed from in the selections and locations made previous to the 2d of March last, and sanctioned by the act of that date.

The selections must be made in entire sections, but where the selec.

tion of fractional sections will render the whole body of selections more compact, they may in such cases, be also approved, but no selections of detached fractions will be sanctioned.

I am, very respectfully, sir,
Your most ob't serv't,

JNO. M. MOORE, *Acting Comm'r.*

P. S. This letter has been submitted to and received the sanction of the secretary of the Treasury.

WM. POLKE, *Commissioner of the
Michigan and Ohio Road, &c.
Vincennes, Indiana.*

(F.)

LOGANSFORT, June 15th, 1831.

SIR:

On yesterday evening I returned to this place from Lake Michigan, whither I had proceeded in conformity with the decision of the Secretary of the Treasury of the United States, on the proviso to the 1st section of the act of Congress, approved March 2d, 1831, confirming the selections of lands heretofore made, for the construction of the Michigan Road, communicated by letter from the commissioner of the General Land Office, bearing date, May the 5th, 1831, (a copy of which is herewith enclosed.)

You will discover that it is deemed essentially necessary, that a new and complete map and field notes of the road through its entire line, showing the intersection with the section lines of the public surveys, so far as they are made, be filed in the General Land Office before any further selections will be approved of at that office, of locations made by the commissioner acting under the authority of the State of Indiana.

By that decision much additional and responsible labour devolves on me, which was not anticipated or contemplated by the General Assembly of the State of Indiana, at the time the law was passed, appointing me sole commissioner for completing the selections, and performing the various duties imposed by the provisions of that act.

As it is indispensably necessary that I proceed without the least delay to complete the connections with the section lines of the public surveys from the Wabash to the Ohio river, and make out and forward the required map and field notes to the General Land Office, so that the remaining selections and surveys may be completed in time to be offered for sale agreeably to the provisions of the law of February last, so that a sufficiency of lands may be brought into market this fall, to meet all the demands that may be against the State on account of contracts entered into, or expenses yet to be incurred

on account of said road, in order to preserve the faith of the State inviolate, and secure individuals in their private rights.

I have to request your assistance and co-operation in affording such facilities, as consistent with your public duties to the United States, as will enable me to preserve and maintain the interests of the State of Indiana, confided to my care.

Permit me, in order to bring the subject fairly to view, to name the following facts and circumstances, which increase the difficulties and embarrass the prosecution of the business. By an official statement received from the Register of the land office at Crawfordsville, and on an actual view, which on my present journey I took of the tracts sold in that district, I find the most valuable selections are sold from Fort Wayne. I have received no statement of lands sold, selected in that district.

The Register in reply to my requests to him of the 19th of April, and 28th of May, informs me that the business of his office was so pressing, in consequence of the late sales, that he could not comply with my requests before the termination of the sales. I therefore have no correct data to form a correct estimate of the quantity sold in that district; but from a personal observation and recent inquiries, I find the principal part of the choice selections in the neighborhood of the South Bend have been sold, and I have learnt from a source I rely upon, that upwards of \$10,000 dollars worth of selected lands have been sold at that office. The most desirable selections are lost to the State, which cannot possibly be replaced by other selections of the public land, as the choice tracts United States' land are daily, and I may say, hourly entered by individuals, who, in every direction, are exploring the country north of this place.

Permit me to respectfully suggest for your consideration, the propriety of adopting the following course, as the only method by which the interests of the State can be sustained, and the injury partially repaired, which she sustained, by the rejection by the Treasury department of the selections heretofore made by the State of Indiana.

I find from actual examination in the Indian country, that immediately south adjoining the lands purchased by the Treaty of Oct. 16th, 1826, in the North West part of the State of Indiana; a tract of country equal in point of soil, fertility and beauty to any part of the State, and which at this time excites as much, or more attention than any other part of the State, and which could be selected, surveyed and connected with the public surveys of the U. States. What I propose is forthwith, so soon as the required map and field notes are completed, and transmitted to the General Land Office to select, survey, and prepare for sale in the time specified by law, the whole number of sections the State may be entitled to, out of the above named districts of country, provided it needs your approbation, and you believe you can

so conciliate the Indians, that no difficulties between the United States and the Indians will be produced by such a course.

I am your most ob't serv't.

WM. POLKE, C. M. R. L.

GEN. JOHN TIPTON,
Indian Agent, Logansport.

(G.)

AT HOME, 16th June, 1831.

DEAR SIR:

Your letter of yesterday informing me that the Secretary of the United States Treasury, has rejected the selection of lands made by the State of Indiana, for the construction of the Michigan road, and that the best part of these lands have been sold by the U. S. and proposing to make further selections out of the Door Prairie which is within the country still retained by the Indians, has been received and in reply, I have to inform you, the selections of these lands that were sold was made in strict conformity to the understanding of the Indians at the treaty, and of those who made the contract with them, and that any further selections of lands out of the Indian country, without their approbation will distress them, but as no alternative is now left for the State, but to obtain other lands or to loose the donation and injure individuals.

I will render all the assistance in my power to procure the lands you mention. I will convene the Indians, and if possible obtain their consent for you to make other selections.

The United States will no doubt pay the Indians for these lands, if they were not embraced in the former cession made by them. I will thank you to attend the council.

Your ob't serv't,

JOHN TIPTON, *Indian Agent.*

WM. POLKE, *Commissioner.*

(H.)

INDIANAPOLIS, June 24th, 1831.

SIR:

By the accompanying documents, you will learn that the acting commissioner of the General Land Office, requires that part of the

lands yet to be selected for the construction of the Michigan road, in the State of Indiana, must be taken out of the Indian country.

I have respectfully to request of you, to be reappointed a deputy surveyor, so that the surveys can be legally returned to the office of the surveyor General, as the proper channel through which they must pass to the General Land Office.

I am yours, with sentiments of high respect, &c.

WM. POLKE, C. M. R. L.

HON. M. T. WILLIAMS,

Surveyor General, U. S. L. O.

for Ohio, Ia. and Mic. Ter.

(I.)

INDIANAPOLIS, July 2d, 1831.

SIR:

You will herewith receive packages Nos. 1 and 2, containing field notes and maps of the Michigan road, agreeably to the proviso 1st section of the act of Congress of the 2nd of March, and instructions contained in a letter from the General Land Office of May 5th, 1831.

Package No 1, contains the field notes and map of said road from Lake Michigan to the Governor's house, in the town of Indianapolis.

The connections of the range and township lines with the road have been made by actual survey, under my superintendence, that the road might be correctly laid down through the sections in each township.

The field notes of the sections surveyed through the Indian country, with the maps and descriptions, were sent to the Surveyor General's Office, as the proper channel through which to pass to the General Land Office.

By a reference to the original field notes of the road, filed in the office of the Secretary of State, (a copy of which has been transmitted to the Secretary of the Treasury of the United States), I find the 107 miles from the Lake is admitted, but by actual survey and examination it is measured and marked as per field notes and maps now forwarded.

Package No. 2 contains a continuation of the field notes and map of the roads from Indianapolis, to the town of Greensburgh, surveyed conformally to the proviso aforementioned, and also the field notes and map from Madison to said town of Greensburgh, thereby connecting the road throughout its entire line.

The survey of the road from Madison to Greensburgh, was made with, but a partial reference to the section lines, but by a reference to

the releases taken from individuals whose land the road passes over, the connections were made with the same accuracy as by actual survey.

I am sir, your most ob't serv't,

WM. POLKE, *Com. M. R. L.*

*Commissioner of the
General Land Office.*

(L.)

A List of Lands selected for the construction of the Michigan Road, in pursuance of the act of Congress, approved March 2d, 1831.

Part of Section.	Sec.	Town.	Range.	Acres.	100's.	SOLD BY U. S.	
						Acres.	100's.
	2	37 N.	4 W.	640	00		
	11	37	4	640			
	24	37	4	640			
	25	37	4	640			
E. 1-2 of	33	37	4	107	19		
W. 1-2 of	"	37	4	108	82		
E. 1-2 of	34	37	4	104	10		
W. 1-2 of	"	37	4	105	81		
E. 1-2 of	35	37	4	114	09		
W. 1-2 of	"	37	4	107	41		
E. 1-2 of	36	37	4	107	04		
W. 1-2 of	"	37	4	114	90		
	12	37	3	640			
E. 1-2 of	19	37	3	320			
E. $\frac{1}{2}$ of N. w. qr.	"	37	3	80			
W. $\frac{1}{2}$ of N. w. qr.	"	37	3	90	50		
E. $\frac{1}{2}$ of s. w. qr.	"	37	3	80			
W. $\frac{1}{2}$ of s. w.	"	37	3	93	90		
E. 1-2 of	30	37	3	320			
E. $\frac{1}{2}$ of N. w. qr.	"	37	3	80			
W. 1-2 of N. w.	"	37	3	96	73		
E. $\frac{1}{2}$ of s. w. qr.	"	37	3	80			
W. 1-2 of s. w.	"	37	3	98	99		
E. Fr. of N. 1-2	26	37	3	107	65		
W. Fr. N. 1-2	"	37	3	113	35		
S. E. Fr.	"	37	3			67	80
E. Fr. s. w. qr.	"	37	3	60	85		
W. Fr. s. w.	"	37	3	79	25		
N. E. Fr.	27	37	3	40	03		
N. W. Fr.	"	37	3	5	50		
S. E. Fr.	"	37	3	32	75		
S. W. Fr.	"	37	3	0	86		
E. Fr. of	33	37	3	46	05		
Middle Fr.	"	37	3	60	53		
W. Fr.	"	37	3	9	66		
Fr. of	34	37	3	60	96		
W. Fr. of	35	37	3	25	66		
E. Fr.	"	37	3			2	08

(L.)—Continued.

A List of Lands selected for the construction of the Michigan Road, in pursuance of the act of Congress, approved March 2d, 1831.

Part of Section.	Sec.	Town.	Range.	Acres.	100's.	SOLD BY U. S.	
						Acres.	100's
E. $\frac{1}{2}$ of N. $\frac{1}{2}$ Fr.	36	37 N.	3 W.	98	33		
W. $\frac{1}{2}$ of N. $\frac{1}{2}$ Fr.	"	37	3			92	24
E. 1-2 of	7	37	2	320			
E. $\frac{1}{2}$ of N. w. qr.	"	37	2	80			
W 1-2 of N. w.	"	37	2	79	32		
E $\frac{1}{2}$ of s. w. qr.	"	37	2	80			
W. 1-2 of s. w.	"	37	2	79	80		
	8	37	2	640			
N. 1-2 of	9	37	2	320			
S. E. qr. of	"	37	2	160			
E. $\frac{1}{2}$ of s. w. qr.	"	37	2			80	
W. 1-2 of s. w.	"	37	2	80			
	14	37	2	640			
N. E. qr. of	15	37	2	160			
S. $\frac{1}{2}$ Indian Res.	"	37	2			320	
N. W. qr. of	"	37	2			160	
N. W. qr. of	11	37	2	160			
S. E. qr. of	"	37	2	160			
S. W. qr. of	"	37	2	160			
N. E. qr. In. re's	"	37	2			160	
	26	37	2	640			
S. E. Fr. of	31	37	2	2	10		
W. Fr.	"	37	2	118	36		
E. Fr.	32	37	2	101	10		
W. Fr.	"	37	2	46	91		
E. 1-2 of	35	37	2	112	22		
W. 1-2 of	"	37	2	110	03		
E. 1-2 of	36	37	2	121	88		
W. 1-2 of	"	37	2	116	48		
S. 1-2 of	8	37	1	320			
E. 1-2 N. E. qr.	"	37	1	76	40		
W. 1-2 N. E.	"	37	1	75	45		
N. W. qr.	"	37	1			160	
	17	37	1	640			
	29	37	1	640			
E. 1-2 of	37	37	1	112	49		
W. 1-2 of	"	37	1	74	05		
E. 1-2 of	32	37	1	105	02		
W. 1-2 of	"	37	1	107	78		

(L.)—Continued.

A List of Lands selected for the construction of the Michigan Road, in pursuance of the act of Congress, approved March 2d, 1831.

Part of Section.	Sec.	Town.	Range.	Acres.	100's.	SOLD BY U. S.	
						Acres.	100's
E. $\frac{1}{4}$ of N. E. qr.	13	38 N.	1 E.			80	
W. 1-2 N. E.	"	38	1	80			
N. $\frac{1}{4}$ N. W. qr.	"	38	1	67	71		
S. $\frac{1}{4}$ of s. w. qr.	"	38	1	67	45		
S. 1-2	"	38	1	320			
Total Amount	-	-	-	13,325	46	1122	12

The foregoing is a true copy of the original filed in this office.

SAMUEL MILROY, Reg'r.

Crawfordsville, October 1st, 1831.

1831.	No.	John Egbert,	St. Josephs,	Ind.	E fr. S E qr.	28	38 N.	1 W.	74	11	1 25	92 63
Oct. 17.	1	John Egbert,	ditto	"	E 1-2 S W.	35	"	"	80	"	1 25	100 00
"	2	Waren Burk,	ditto	"	W. 1-2 "	"	"	"	80	"	1 25	100 00
"	3	"	ditto	"	W. 1-2 S E.	"	"	"	80	"	1 25	100 00
	4	John Egbert,	ditto	"	E 1-2 S E.	13	"	1 E	80	"	1 25	100 00
	5	Benjamin Hardman,	ditto	"	W. 1-2 "	"	"	"	80	"	1 25	100 00
	6	John Skiles,	ditto	"	W. 1-2 "	"	"	"	80	"	1 25	100 00
	7	George L. Kinnard,	Marion,	"	E 1-2 N. E.	24	"	"	80	"	1 26	100 80
	8	James L. Garrowte,	St. Josephs,	"	W. 1-2 N W.	31	"	"	75	28	1 25	94 10
	9	Charles Vail,	ditto	"	E 1-2 S W.	"	"	"	80	"	1 25	100 00
	10	Daniel Wagner,	ditto	"	E fr N W.	14	"	2 E	97	95.	1 25	122 44
	11	George L. Kinnard,	Marion,	"	N 1-2 E fr. S W	"	"	"	50	90	1 27	64 64
	12	"	ditto	"	W. 1-2 S E.	"	"	"	80	"	1 25	100 00
	13	"	ditto	"	E fr. N W.	23	"	"	96	25	1 26	121 28
	14	"	ditto	"	E 1-2 S E.	28	"	"	80	"	1 26	100 80
	15	Benjamin M'Carty,	St. Josephs,	"	W. 1-2 N. E.	29	"	"	80	"	1 25	100 00
	16	Samuel Ritter,	ditto	"	V. 1-2 S E.	"	"	"	80	"	1 27	101 60
Oct. 18.	17	John Witter,	St. Josephs,	"	E 1-2 S W.	20	38	2 E.	80		1 25	\$1598 29
	18	Joshua Hardman,	ditto	"	W. 1-2 S W.	"	"	"	80		1 25	100 00
	19	John Witter,	ditto	"	W. 1-2 N W.	22	"	"	80		1 25	100 00
	20	Samuel Gude,	ditto	"	E 1-2 N E.	29	"	"	80		1 27	101 60
	21	Hiram Rush,	Warren,	Ohio.	E 1-2 S W.	25	"	1 W.	80		1 29	103 20
	22	John Bauker,	St. Josephs,	Ind.	W 1-2 S W.	"	"	"	80		1 25	100 00
	23	Hiram Rush,	Warren,	Ohio.	W 1-2 S E.	"	"	"	80		1 25	100 00
	24	Warren Burk,	St. Josephs,	Ind.	W 1-2 S E.	26	"	"	80		1 25	100 00
	25	John Walker,	Shelby,	"	E 1-2 N W.	11	37	4 W.	80		1 25	100 00

26	John Walker,	Shelby	Ind.	W 1-2 N W	11	37	4 W.	80	52	1 25	100 00
27	"	ditto	"	E 1-2 S W	"	"	"	80	52	1 25	100 00
28	"	ditto	"	W 1-2 "	"	"	"	80	52	1 25	100 00
29	Joseph Orr,	Putnam,	"	E 1-2 N E fr.	36	"	"	53		1 51	80 81
30	"	ditto	"	W 1-2 "	"	"	"	53		1 27	67 97
31	Thomas E. Staunton,	St. Josephs,	"	W 1-2 S W	14	"	3 W.	80	25	1 25	100 00
32	William Bond,	Calimazo, Mich. T.	"	W 1-2 S W	24	"	"	80		1 25	100 00
33	Adam G. Polke,	Knox, Ind.	"	W 1-2 S W fr	26	"	"	79	75	1 25	99 06
34	"	ditto	"	S E frac	27	"	"	32		1 25	40 94
35	Joseph Orr,	Putnam,	Ind.	S W frac	"	"	"		86	1 29	1 11
36	J. & A. P. Andrew,	Dearborn,	"	N E frac.	33	37 N	3 W.	46	05	2 00	92 10
37	Joseph Orr,	Putnam	"	Middle fr.	"	"	"	60	53	3 14	190 06
38	"	ditto	"	N W frac	"	"	"	9	66	2 25	21 73
39	John Egbert,	St. Josephs,	"	Fraction of	34	"	"	60	96	2 30	140 21
40	John Walker,	Shelby,	"	N Fr. of N W Fr qr.	35	"	"	25	66	1 31	33 62
41	"	ditto	"	N E Fr. qr.	36	"	"	98	33	1 52	149 46
42	George W. Barns,	St. Josephs,	"	E 1-2 S E	8	"	2 W.	80		1 25	100 00
43	"	ditto	"	W 1-2 S W	9	"	"	80		1 25	100 00
44	Michael Brand,	Cass,	"	E 1-2 N W	10	"	"	80		1 25	100 00
45	"	ditto	"	E 1-2 S W	"	"	"	80		1 30	104 00
46	Lewis Rodgers,	Grant,	"	W 1-2 S W	"	"	"	80		1 27	101 60
47	John Walker,	Shelby,	"	E 1-2 N W	11	"	"	80		1 30	104 00
48	"	ditto	"	W 1-2 "	"	"	"	80		1 27	101 60
49	"	ditto	"	E 1-2 S W	"	"	"	80		1 25	100 00
50	"	ditto	"	W 1-2 "	"	"	"	80		1 25	100 00
51	"	ditto	"	W 1-2 S E	"	"	"	80		1 25	100 00
52	Noble M'Kinstrey,	St. Josephs,	"	W 1-2 N W	17	"	"	80		1 25	100 00

53	John Garrard,	ditto	W 1-2 s W.	18	89	1 25	100 00
54	David Pagen,	ditto	E 1-2 N E	"	"	1 25	100 00
55	Leonard Cutler,	Michigan.	W 1-2 "	"	"	1 36	108 80
56	Daniel Murry,	Ind.	E 1-2 N W	28	80	1 25	100 00
57	William Polke,	Knox,	Fr. N E	32	101	1 25	126 38
58	Frederick Fox,	Warren,	E 1-2 N W	3	80	1 28	102 40
59	"	ditto	W 1-2 "	"	"	1 32	105 60
60	Asa Warren,	St. Josephs,	E 1-2 N W	4	80	1 53	121 60
61	John Egbert,	ditto	W 1-2 N W	20	80	1 25	100 00
62	William M'Cartney,	ditto	E 1-2 N W	29	80	1 25	100 00
63	"	ditto	W 1-2 "	"	"	1 55	124 00
64	William M'Cartney,	ditto	E 1-2 s W	"	"	1 25	100 00
65	"	ditto	W 1-2 "	"	"	1 25	100 00
66	"	ditto	E 1-2 N E	30	80	1 37	108 60
67	"	ditto	W 1-2 "	"	"	1 25	100 00
68	"	ditto	E 1-2 s E	"	"	1 25	100 00

1831	Oct. 19.	69	End of 2d day's sale	7	37	N. 2 W.	80	\$6729 74
70	Zenas Preston,	Union,	E 1-2 N E	"	"	"	80	1 50
71	"	ditto	W 1-2 "	"	"	"	80	1 25
72	Stephen Holloway,	Wayne,	E 1-2 N W	"	"	"	80	1 25
73	John Walker,	ditto	W 1-2 N W	"	"	"	79	99 15
74	Mary Ann Coffin,	Shelby,	E 1-2 s E	11	"	"	80	1 25
75	"	Union,	E 1-2 s E	12	"	3 W.	80	1 25
76	Harmel Reid,	ditto	W 1-2 "	"	"	"	80	1 25
77	Leonard Cutler,	Warren,	E 1-2 s E	25	38	1	80	1 25
78	Henry Smith,	St. Josephs,	E 1-2 s E	19	37	2	80	1 29
		ditto	E 1-2 N E.	27	"	2 E.	80	1 25

79	John Ireland,	Elkhart,	Ind.	N fr. N W	9	37	4 E.	102	45	1 25	128	96
80	Cyrus Tabor & Walter Wilson, Cass,	Elkhart,	"	E 1-2 s w part	"	"	"	88	75	2 27	201	46
81	Mary Edwards,	Elkhart,	"	W 1-2 N W	26	"	"	80		1 25	100	00
82	Joseph Nafsinger,	ditto	"	E 1-2 N W	27	"	"	80		1 25	100	00
83	"	ditto	"	W 1-2 "	"	"	"	80		1 25	100	00
84	John Ireland,	ditto	"	E 1-2 s w	29	"	"	80		1 25	100	00
85	Jacob Eller,	ditto	"	W 1-2 "	"	"	"	80		1 25	100	00
86	Arba Heald,	St. Josephs,	"	W 1-2 s w	33	"	4 W.	75	50	1 25	100	00
87	Joseph Orr,	Putnam,	"	S 1-2 N E fr. qr.	36	"	"	51		1 25	94	38
				S ind. bdry.							63	75
88	John Walker,	Shelby,	"	N 1-2 s E fr. qr.	"	"	"	65	54	1 25	81	93
89	"	ditto	"	S 1-2 " " "	"	"	"	71	47	1 50	107	21
90	Joseph Orr,	Putnam,	"	S 1-2 N W " "	31	"	3 W.	52		1 25	93	00
				S ind. bdry.								
91	George Crawford,	Elkhart,	"	E 1-2 s w	"	"	"	80		1 50	120	00
92	John Walker,	Shelby,	"	W 1-2 "	"	"	"	80		1 52	121	60
93	J. & A. P. Andrew,	Dearborn	"	S 1-2 N E fr. qr.	33	"	"	52	80	1 25	66	00
				S ind. bdry.								
94	Joseph Orr,	Putnam	"	S 1-2 N W fr. qr.	"	"	"	52	80	1 25	66	00
				S ind. bdry.								
95	J. & A. P. Andrew,	Dearborn,	"	E 1-2 s E	"	"	"	80		1 27	101	60
96	"	ditto	"	W 1-2 "	"	"	"	80		1 25	100	00
97	Arthur M'Clure,	Shelby,	"	E 1-2 s w	"	"	"	80		1 28	102	40
98	John Walker,	ditto	"	W 1-2 "	"	"	"	80		1 25	100	00
99	Walter Wilson,	Cass,	"	N W fr. s w part	34	"	"	67	77	2 50	169	43
100	"	ditto	"	S W fr. s w part	"	"	"	58	38	2 51	146	54
101	"	ditto	"	S E fr. qr.	"	"	"	74	74	1 25	93	48

124	George L. Kinnard,	Marion,	Ind.	E I-2 s E part	31	37	91	63	2 26	297 93
125	Samuel Goode,	St. Joseph,	"	W I-2 s E "	"	"	91	63	2 01	184 18
126	Jacob R. Hall,	Cass,	"	E I-2 s W "	"	"	91	63	1 75	160 35
127	William M'Cartney,	St. Joseph,	"	W I-2 " "	"	"	91	63	1 32	120 95
128	George Sumption,	ditto	"	W I-2 s W "	32	"	93	65	1 25	117 06
129	John Lindsay,	Pottawatamie mills,	"	S frac N I-2	36	"	36		1 25	45 46
				S ind bdry						
130	John Walker,	Shelby,	"	E I-2 N E	1	36	80	17	1 53	122 66
131	"	ditto	"	E I-2 s E	"	"	80	51	2 30	185 17
132	"	ditto	"	W I-2 s E	"	"	80	51	1 78	143 31
133	John Melville,	Cass,	Mich. T.	E I-2 s W	"	"	80	51	1 52	122 38
134	Daniel Jessup,	St. Joseph,	Ind.	W I-2 "	"	"	80	51	1 31	105 47
135	John Miller,	Union,	"	E I-2 N E	4	"	76	30	1 25	95 35
136	Arba Heald,	St. Joseph,	"	E I-2 N W	"	"	76	30	1 25	95 38
137	John Miller,	Union,	"	E I-2 s E	"	"	77	90	1 29	100 49
138	George Crawford,	Elkhart,	"	E I-2 N E	9	"	78	90	1 25	98 63
139	Michael Ridenour,	Williams,	Ohio,	E I-2 s E	"	"	79	53	1 25	99 41
140	William M'Cartney,	St. Joseph,	Ind.	E I-2 N E	10	36	58	72	1 25	73 40
141	"	ditto	"	W I-2 "	"	"	81	72	1 25	102 15
142	"	ditto	"	E I-2 s E	"	"	81	15	1 25	101 44
143	"	ditto	"	W I-2 "	"	"	81	15	1 25	101 44
144	Francis Lucas,	Warren,	Ohio	E I-2 s W	"	"	81	15	1 25	101 44
145	"	ditto	"	W I-2 "	"	"	81	15	1 39	112 80
146	John Walker,	Shelby,	Ind.	E I-2 s E	11	"	79	75	3 10	247 23
147	Josiah Bryant,	Fountain,	"	W I-2 "	"	"	79	75	2 80	223 30
148	"	ditto	"	E I-2 s W	"	"	79	75	2 35	187 41
149	William M'Cartney,	St. Joseph,	"	W I-2	"	"	79	75	2 01	160 30
150	Daniel Jessup,	ditto	"	E I-2 N E	12	"	80	76	1 40	113 06

151	"	ditto	"	W 1-2 N E	"	"	"	80	76	1 56	125 99
152	Francis Lucas,	Warren,	Ohio.	E 1-2 N W	"	"	"	80	76	1 52	122 76
153	"	ditto	"	W 1-2 "	"	"	"	80	76	1 50	121 14
154	Daniel Jessup,	St. Joseph,	Ind.	E 1-2 S E	"	"	"	80	92	2 30	186 12
155	"	ditto	"	W 1-2 S E	"	"	"	80	92	2 25	182 07
156	Garius Munger,	ditto	"	E 1-2 S W	"	"	"	80	92	2 01	162 65
157	Corliss and Newhall,	ditto	"	W 1-2 "	"	"	"	80	92	2 12	171 55
158	Wm. G & G. W Ewing,	Cass	"	E 1-2 N E	"	13	"	81	35	1 50	122 04
159	Corliss & Newhall,	St. Joseph,	"	W 1-2 "	"	"	"	81	35	1 75	142 36
160	"	ditto	"	E 1-2 N W	"	"	"	81	35	1 62	131 79
161	Aulden Tucker,	ditto	"	W 1-2 "	"	"	"	81	35	2 01	163 51
162	John W. Cole,	Cass	Mich. T.	E 1-2 S E	"	"	"	82	05	2 00	164 10
163	"	ditto	"	W 1-2 "	"	"	"	82	05	2 00	164 10
164	George W. West,	St. Joseph,	Ind.	E 1-2 S W	"	"	"	82	05	2 01	164 92
165	"	ditto	"	W 1-2 "	"	"	"	82	05	2 01	164 92
166	Josiah Bryant,	Fountain,	"	E 1-2 N E	"	14	"	79	85	3 87	309 02
167	"	ditto	"	W 1-2 "	"	"	"	79	85	3 50	279 48
168	"	ditto	"	E 1-2 N W	"	"	"	79	85	3 70	295 45
169	Peter Shaeffer,	Clark,	Ohio.	W 1-2 "	"	"	"	79	85	4 00	319 40
170	Josiah Bryant,	Fountain,	Ind.	E 1-2 S E	"	"	"	79	55	2 10	167 05
171	"	ditto	"	W 1-2 "	"	"	"	79	55	3 00	238 65
172	"	ditto	"	E 1-2 S W	"	"	"	79	55	3 05	242 63
173	"	ditto	"	W 1-2 "	"	"	"	79	55	3 05	242 63
174	William Garwood,	St. Joseph,	"	E 1-2 N E	"	15	"	80	82	2 01	162 45
175	"	ditto	"	W 1-2 "	"	15	36N. 4 W.	80	82	2 00	161 64
176	Joseph Reid,	Franklin,	"	W 1-2 N W	"	"	"	80	82	1 40	113 15
177	William Garwood,	St. Joseph,	"	E 1-2 S E	"	"	"	80	73	2 00	161 46
178	"	ditto	"	W 1-2 "	"	"	"	80	73	2 00	161 46

	Dearborn	Ind.	E 1-2 s w	15	36 N.	4 W.	80	73	1 65	133 21
179 Ezra Tyler,			E 1-2 s w	15	36	4 W.	80	73	1 54	133 21
180 Farrington Barricklow,	Dearborn	Ind.	W 1-2 s w	15	36	4 W.	80	73	\$21,356 11	
181 Leonard Cutler,	St. Joseph,	Mich. T.	W 1-2 n w	18	37	2 W.	80	17	1 50	124 33
182 "	ditto	"	W 1-2 s w	"	"	"	80	67	1 51	120 26
183 Christopher M'Clure,	Shelby,	Ind.	E 1-2 n w	2	36	4 W.	79	75	2 65	121 81
184 Josiah Bryant,	Fountain,	"	W 1-2 "	"	"	"	79	75	1 35	211 34
185 "	ditto	"	E 1-2 n e	"	"	"	79	75	1 25	107 66
186 Wm. G. & G. W. Ewing,	Cass	"	W 1-2 "	"	"	"	79	75	1 40	99 69
187 Joseph Reid.	Franklin	"	E 1-2 n w	15	"	"	80	82	1 29	111 66
188 John Walker	Shelby	"	E 1-2 n e	11	"	"	79	25	1 25	104 26
189 A. W. Morris,	Marion,	"	W 1-2 s w	17	37	1 W.	80	25	1 40	99 06
190 John Egbert,	St. Joseph,	"	E 1-2 n w	20	"	"	80	80	1 46	112 00
191 Michael Ridenour,	Williams,	Ohio	E 1-2 n e	21	36	4 W.	80	12	1 28	116 80
192 Henley Clyburn,	St. Joseph	Ind.	E 1-2 s e	"	"	"	80	36	3 79	102 55
193 "	"	"	W 1-2 s e	"	"	"	80	36	2 00	304 57
194 Marium Benedict	"	"	E 1-2 s w	"	"	"	80	36	1 25	160 72
195 "	"	"	W 1-2 "	"	"	"	80	36	1 25	100 45
196 Jonathan Morgan,	"	"	E 1-2 n e	"	"	"	80	36	1 25	100 45
197 "	ditto	"	W 1-2 "	22	"	"	80	61	3 01	242 64
198 Ezra Tyler,	Dearborn,	"	E 1-2 n w	"	"	"	80	61	3 01	242 64
199 William E. A. Heart,	St. Joseph,	"	W 1-2 "	"	"	"	80	61	2 50	201 53
200 Joseph Reid,	Franklin,	"	E 1-2 s e	"	"	"	80	61	2 26	182 18
201 "	ditto	"	W 1-2 "	"	"	"	80	17	2 00	160 34
202 Isaac Morgan	St. Joseph,	"	E 1-2 s w	"	"	"	80	17	2 62	210 05
203 William E. A. Heart,	"	"	W 1-2 "	"	"	"	80	17	2 00	160 34
204 John Walker,	Shelby,	"	E 1-2 n e	23	"	"	79	42	1 28	101 66

Oct. 21.

205	Hamilton & Tabor,	Cass,	W 1-2 "	"	"	79	42	1	25	96	28
206	Josiah Bryant,	Fountain,	E 1-2 N W	"	"	79	42	2	25	178	70
207	"	ditto	W 1-2 "	"	"	79	42	2	25	178	70
208	Ezra Tyler,	Dearborn,	W 1-2 S W	"	"	79	49	1	40	111	29
209	Charles W. Cathcart,	St. Joseph,	W 1-2 N W	"	"	79	49	1	25	99	38
210	John Walker,	Shelby,	W 1-2 S W	"	26	79	50	3	27	259	98
211	"	ditto	E 1-2 N E.	"	"	79	50	2	03	162	40
212	"	ditto	W 1-2 N W	"	27	80		1	42	113	60
213	Charles W. Cathcart,	St. Joseph,	E 1-2 S E	"	"	80		1	25	100	00
214	John Walker,	Shelby,	E 1-2 N E	"	28	80	45	1	71	137	57
215	"	ditto	W 1-2 "	"	"	80	45	2	02	162	50
216	Samuel Weston,	St. Joseph,	E 1-2 N W	"	"	80	45	3	48	279	97
217	"	ditto	W 1-2 "	"	"	80	45	4	10	329	85
218	John Walker,	Shelby,	E 1-2 N E fr	"	1	54	90	2	14	117	49
219	"	ditto	W 1-2 "	"	"	71	11	2	50	177	78
220	"	ditto	E 1-2 N W	"	"	79	98	2	30	183	95
221	"	ditto	W 1-2 "	"	"	79	98	2	13	160	36
222	"	ditto	E 1-2 S E fr	"	"	58	24	2	02	117	65
223	"	ditto	W 1-2 "	"	"	60	50	2	80	168	84
224	"	ditto	E 1-2 S W	"	"	79	96	1	51	120	74
225	Hiram Todd,	Cass,	W 1-2 "	"	"	79	96	2	00	159	92
226	J. & A. P. Andrew	Dearborn	E 1-2 N E	"	2	79	75	2	60	207	35
227	"	ditto	W 1-2 "	"	"	79	75	2	65	211	34
228	"	ditto	E 1-2 N W	"	"	77	75	2	65	211	34
229	"	ditto	W 1-2 "	"	"	79	75	2	65	211	34
230	"	ditto	E 1-2 S E	"	"	79	25	2	65	210	01
231	"	ditto	W 1-2 "	"	"	79	25	2	65	210	01
232	"	ditto	E 1-2 S W	"	"	79	25	2	80	221	90

232	J. & A. P. Andrew,	Dearborn,	Ind.	W 1-2 s W.	2	36 N.	3 W.	79	25	3 15	249 64
234	"	ditto	"	E 1-2 N E	3	"	"	80		3 00	240 00
235	"	ditto	"	W 1-2 "	"	"	"	80		3 65	292 30
236	"	ditto	"	E 1-2 N W	"	"	"	80		3 05	244 00
237	"	ditto	"	W 1-2 "	"	"	"	80		2 05	164 00
238	"	ditto	"	E 1-2 S E	"	"	"	80		4 05	324 00
239	"	ditto	"	W 1-2 "	"	"	"	80		3 05	244 00
240	"	ditto	"	E 1-2 S W	"	"	"	80		2 70	216 00
241	Jacob Colman,	St. Joseph,	"	W 1-2 "	"	"	"	80		1 29	103 20
242	J. & A. P. Andrew,	Dearborn	"	E 1-2 N E	4	"	"	80	01	1 55	124 02
243	"	ditto	"	W 1-2 "	"	"	"	80	01	2 00	160 02
244	A. W. Morris,	Marion	"	E 1-2 S E	"	"	"	80	04	1 50	120 06
245	Elijah H. Brown,	St. Joseph,	"	W 1-2 "	"	"	"	80	04	1 25	100 05
246	"	ditto	"	E 1-2 S W	"	"	"	80	04	1 25	100 05
247	Stephen Brayton,	ditto	"	W 1-2 "	"	"	"	80	04	1 50	120 06
248	Joel Wilcox,	Williams,	Ohio,	E 1-2 S E	5	"	"	79	80	2 00	159 60
249	John Garwood,	Cass,	Mich. T.	E 1-2 N E	6	"	"	80	25	1 25	100 31
250	"	ditto	"	W 1-2 "	"	"	"	80	25	1 25	100 31
251	"	ditto	"	E 1-2 N W	"	"	"	80	25	3 25	260 81
252	Adam G. Polke,	Knox,	Ind.	W 1-2 "	"	"	"	80	25	2 51	201 43
253	William Philips,	St. Joseph,	"	W 1-2 S E	"	"	"	80	75	1 50	121 13
254	"	ditto	"	E 1-2 S W	"	"	"	80	75	1 25	100 94
255	"	ditto	"	W 1-2 "	"	"	"	80	75	1 50	121 13
256	John Walker,	Shelby,	"	E 1-2 N E	7	"	"	80	77	1 26	101 77
257	"	ditto	"	W 1-2 "	"	"	"	80	77	1 50	121 16
258	John Melville,	Cass,	Mich. T.	E 1-2 N W	"	"	"	80	77	2 00	161 54
259	"	"	"	W 1-2 "	"	"	"	80	77	2 50	201 93

End of 5th day's sale

\$34,571 84

1831.

Oct. 22.

260	Ezra Tyler,	St. Joseph	Ind.	E 1-2 N W.	27	36N.	4 W.	86	1 25	100 00
261	Alexander Blackburn,	Sullivan,	"	E 1-2 S E.	10	37	2 W.	80	1 25	100 00
262	"	ditto	"	E 1-2 N E.	10	37	2 W.	80	1 25	100 00
263	"	ditto	"	W 1-2 "	-	-	-	80	1 25	100 00
264	John Egbert,	St. Joseph,	Ind.	E 1-2 S W.	17	37	1 W.	80	1 25	100 00
265	Christopher McClure,	Shelby,	"	E. 1-2 S. E.	6	36	3 W.	80	1 25	100 94
266	"	ditto	"	W 1-2 S W	5	-	-	79	1 25	99 75
267	Michael Ridenour,	Williams,	Ohio.	W. 1-2 N E.	27	-	4 W.	80	1 25	100 00
268	Francis Lucas,	Warren,	"	E. 1-2 S W.	7	-	3 W.	80	1 26	101 20
269	Daniel Jessup,	St. Joseph	Ind.	W 1-2 "	-	-	-	80	1 25	100 40
270	Wm. G. & G. W. Ewing,	Cass	"	E 1-2 N. E.	8	-	-	79	1 27	100 86
271	ditto	ditto	"	W. 1-2 "	-	-	-	79	1 25	99 28
272	Lewis Keith,	Morgan,	Ohio.	E 1-2 S E.	-	-	-	79	1 30	1 03 31
273	Adam Keith,	St. Joseph	Ind.	W. 1-2 N E.	9	-	-	80	2 00	160 08
274	ditto	ditto	ditto	E 1-2 N W.	-	-	-	80	2 00	160 08
275	ditto	ditto	ditto	W. 1-2 "	-	-	-	80	2 00	160 08
276	Lewis Shirley	ditto	ditto	E 1-2 S E.	-	-	-	80	3 00	240 03
277	Runahah Shirley,	ditto	ditto	W 1-2 "	-	-	-	80	1 29	103 22
278	Lewis Shirley,	ditto	ditto	E 1-2 S W.	-	-	-	80	3 00	240 03
279	Arba Heald,	ditto	ditto	W 1-2 "	4	-	-	80	3 00	240 03
280	J. & A. P. Andrew,	Dearborn,	ditto	E. 1-2 N E.	10	-	-	80	2 00	160 16
281	ditto	ditto	ditto	W 1-2 "	-	-	-	80	2 00	160 16
282	ditto	ditto	ditto	E 1-2 N W.	-	-	-	80	1 50	120 12
283	ditto	ditto	ditto	W 1-2 "	-	-	-	80	2 01	160 96
284	Aure Morse,	St. Joseph,	ditto	E. 1-2 S E.	-	-	3 W.	80	2 00	160 50
285	ditto	ditto	ditto	W 1-2 "	-	-	-	80	2 00	160 50
286	Wm. G. & G. W. Ewing,	Cass	ditto	E. 1-2 S W.	-	-	-	80	1 27	102 29

287	Lewis Shirley,	St. Joseph,	Ind.	W 1-2 s w	10	36 N.	3 W.	80	25	1 33	106 73
288	Walter Wilson,	Cass,	ditto	E 1-2 N E	11	..	..	79	25	2 00	158 50
289	ditto	ditto	ditto	W 1-2 "	..	..	..	79	25	2 00	158 50
290	ditto	ditto	ditto	E 1-2 N W	..	..	..	79	25	2 00	158 50
291	ditto	ditto	ditto	W 1-2 N W	..	..	..	79	25	2 00	158 50
292	Wm. G. & G. W. Ewing,	ditto	ditto	W 1-2 s w	..	..	..	79	75	1 29	102 88
293	Benjamin M'Carty,	St. Joseph,	ditto	E 1-2 N W	12	..	..	79	74	1 30	103 66
294	John Walker,	Shelby,	ditto	W 1-2 "	..	..	..	79	74	1 26	100 48
295	ditto	ditto	ditto	E 1-2 s w fr.	26	37	..	60	85	1 31	79 71
296	Isaac Morgan,	St. Joseph,	ditto	W 1-2 N E	21	36	4 W.	80	12	1 25	100 15
297	George Holloway,	Cass,	Mich.	E 1-2 N E	1	36	1 E.	81	75	1 25	102 19
298	Benjamin M'Carty,	St. Joseph,	Ind.	W 1-2 N W	14	..	3 W.	80	37	2 00	160 00
299	ditto	ditto	ditto	E 1-2 N E	15	..	..	80	37	3 05	245 13
300	ditto	ditto	ditto	W 1-2 "	..	..	..	80	37	2 26	181 64
301	Arba Heald,	St. Joseph,	ditto	E 1-2 N E	17	..	..	79	32	1 25	99 15
302	ditto	ditto	ditto	W 1-2 "	..	..	..	79	32	1 25	99 15
303	Hugh M'Given,	ditto	ditto	E fr. s E	..	..	..	75	15	1 29	96 94
304	ditto	ditto	ditto	W 1-2 "	..	..	..	78	96	1 29	101 86
305	Adam G. Polke,	Knox,	ditto	W 1-2 s w	..	..	..	78	96	1 25	98 70
306	ditto	ditto	ditto	E 1-2 s E	18	..	..	80	02	1 25	100 03
307	George Crawford,	Elkhart,	ditto	W 1-2 "	..	..	..	80	02	1 25	100 03
308	ditto	ditto	ditto	E 1-2 s w	..	..	..	80	02	1 25	100 03
309	Jesse Morgan,	St. Joseph,	ditto	W 1-2 "	..	..	..	80	02	1 25	100 03
310	Joseph Osborn,	ditto	ditto	W 1-2 N E	21	..	..	79	90	1 50	119 85
311	ditto	ditto	ditto	E 1-2 N W	..	..	..	99	90	1 50	119 85
312	ditto	ditto	ditto	W fr. "	..	..	..	73	07	1 50	109 60
313	Peter White,	Dearborn,	ditto	E 1-2 s E	..	..	..	79	30	1 50	118 95
314	ditto	ditto	ditto	W 1-2 "	..	..	..	79	30	1 25	99 42

315	Peter White,	"	E 1-2 s w	"	"	79	30	1 50	118 95		
316	Peter Shaeffer,	"	w 1-2 "	"	"	79	30	1 50	118 95		
317	John Walker,	"	w frac n w	"	2 W.	68	50	1 25	85 63		
318	Absalom Rambo,	"	w 1-2 s e	"	"	80	37	2 47	198 51		
319	"	"	E 1-2 s w	"	"	80	37	1 50	120 55		
320	"	"	w 1-2 "	"	"	80	37	1 25	100 46		
321	William Bond,	Mich. T.	E 1-2 s w	"	37 N	78	91	1 47	115 97		
322	John Walker,	Ind.	E 1-2 n e	"	36	80	04	1 25	100 05		
323	"	"	w 1-2 s e	"	"	80	32	1 25	100 40		
324	"	"	E 1-2 "	"	"	80	32	1 25	100 40		
325	"	"	w 1-2 n e	"	"	80	08	1 25	100 10		
326	"	"	E 1-2 n w	"	"	80	08	1 25	100 10		
327	"	"	w 1-2 "	"	"	80	08	1 25	100 10		
328	"	"	E 1-2 n e	"	"	80	08	1 25	100 10		
329	Frederick Fox,	Ohio.	E 1-2 n e	"	37	80		1 25	100 00		
330	John Egbert,	Ind.	n w frac of	"	"	74	05	1 25	92 56		
331	Jesse Morgan,	"	E 1-2 s e	"	36	80	05	1 25	100 06		
332	"	"	E 1-2 n e	"	"	80	15	1 25	100 19		
333	Leonard Cutler,	Mich. T.	E 1-2 s w	"	37	80		1 25	100 00		
334	"	"	w 1-2 "	"	"	80	64	1 25	100 80		
335	Adam Keith,	Ind.	w 1-2 n w	"	36	80	37	1 25	100 48		
336	Joseph Osborn	"	E 1-2 n e	"	21	79	90	1 25	99 87		
337	Lewis Shirley,	"	w 1-2 s w	"	22	80	12	1 25	100 15		
End of 6th day's sale											
338	George Holloway,	Cass	w 1-2 n e	Mich. T.	1	36 N	1 E.	81	75	1 27	103 82
339	Jonathan Wharton,	Green,	s e frac 1 q r	Ohio.	"	"	"	73	13	1 34	97 99
340	Eliakim Ashton,	Montgomery	s 1-2 n w	Ind.	1	36	2	76	80	1 25	96 00

End of 6th day's sale

\$440.66 69

341	Leonard Cutler,	St. Joseph,	Mich.	N 1-2 s w	1	36 N.	2 E.	76	93	1 30	100 01
342	"	"	"	s 1-2 "	"	"	"	76	93	1 35	103 86
343	Eliakim Ashton,	Montgomery,	Ind.	N 1-2 N E	2	"	"	76	70	1 31	100 49
344	"	ditto	"	s 1-2 "	"	"	"	76	70	1 25	95 88
345	Joseph Rover,	St. Joseph,	ditto	s 1-2 N W	"	"	"	78	37	1 25	97 96
346	"	ditto	"	N 1-2 s e	"	"	"	75	18	1 51	113 52
347	"	ditto	"	N 1-2 s w	"	"	"	78	32	1 56	122 18
348	Jonathan Wharton,	Green	Ohio	E 1-2 s w	5	"	"	78	60	1 66	130 48
349	Nehemiah B. Griffith,	St. Joseph,	Ind.	W 1-2 "	"	"	"	78	60	1 41	110 81
350	"	ditto	"	E 1-2 N E	6	"	"	77	12	2 01	155 01
351	"	ditto	"	W 1-2 "	"	"	"	77	12	2 00	154 24
352	Gabriel Fender,	Elkhart,	"	E 1-2 N W	"	"	"	77	12	2 00	154 24
353	Jacob Rupe,	ditto	"	W 1-2 "	"	"	"	77	12	2 00	154 24
354	Grove Pomeroy,	Sullivan,	"	E 1-2 s e	"	"	"	77	37	2 50	193 43
355	"	ditto	"	W 1-2 "	"	"	"	77	37	3 11	240 62
356	Gabriel Fender,	Elkhart,	"	E 1-2 s w	"	"	3 E.	77	37	2 00	154 74
357	Jacob Rupe,	ditto	ditto	W 1-2 "	"	"	"	77	37	2 00	154 74
358	Gabriel Fender,	ditto	ditto	E 1-2 N W	7	"	"	77	66	2 00	155 32
359	"	ditto	"	W 1-2 "	"	"	"	77	66	2 00	155 32
360	Stacy Garwood,	St. Joseph,	"	E 1-2 N E	"	"	"	77	66	1 25	97 68
361	Mahlon Borton,	ditto	"	W 1-2 N W	8	"	"	78	87	1 25	96 59
362	Jonathan Wharton,	Green,	Ohio.	E F. N E	12	"	1 E.	55	13	1 25	68 91
363	Grove Pomeroy	Sullivan,	Ind.	W 1-2 "	"	"	"	80	75	1 25	100 94
364	John Green,	Green,	Ohio,	E 1-2 s e part	36	37	"	98	47	1 25	123 09
365	Cyrus Tabor,	Cass,	Ind.	N 1-2 s e qr.	15	M R	s	80		1 27	101 60
366	"	ditto	"	s 1-2 "	"	M R	S E L.	80		1 27	101 60

End of 6th day's sale

\$47,676 00

Ind.	367 George C. Spencer	Cass,	S E Fr. of s 1 N E Fr. qr.	29	M R	selec.	2	32	1 30	3 02
"	368	ditto	S Fr. of N part of s E	"	"	"	67	49	1 35	91 11
"	369	ditto	N Fr. of N 1/2 of s E	"	"	"	4	56	1 34	6 11
"	370	ditto	S 1-2 s E qr.	"	"	"	79		1 25	98 75
"	371	ditto	N Fr. s W	"	"	"	27	78	1 30	36 11
"	372 John Lindsay,	ditto	S Fr. "	"	"	"	87	48	1 30	113 72
"	373 George Bozarth,	ditto	N 1-2 s W	31	"	"	78	51	1 25	98 14
"	374 John Tipton,	ditto	S 1-2 N E	32	"	"	80		1 25	100 00
"	375 Gabriel Clary,	ditto	E 1-2 N W Fr.	3	28 1/2	5 re	94		1 25	117 50
"	376	ditto	W 1-2 "	"	"	"	91	60	1 25	114 50
"	377	ditto	W 1-2 s W qr.	"	"	"	80		1 25	100 00
"	378 John Elam,	Switzerland,	Fractional sec.	20	"	"	148	69	1 26	187 35
<hr/>										
Oct. 26.	379	ditto	N 1-2 s W	33	End of 7th day's sale		80	02	\$48,742	31
"	380	ditto	S 1-2 "	"	M R	selec.	"	02	1 25	100 03
"	381 William Polke,	Cass,	S 1-2 N E Fr.	29	"	"	76	08	1 30	100 03
"	382 Daniel Cary,	Knox,	W 1-2 N E "	3	28	5 re	91	80	1 25	98 90
"	383	ditto	E 1-2 N E "	"	"	"	79	60	1 25	118 50
"	384 Jesse W. Arnold,	Harrison	Fractional sec.	4	"	"	88		1 25	99 50
"	385 Abner E. Vanness,	Cass,	S E Fr. qr.	10	29	6 E.	2	03	1 25	110 00
										2 64
										<hr/>
										Am't of sales at Oct. 1831 \$49,371 91

(N.)

THE STATE OF INDIANA, DR.

To Provision account,	\$247 74½
" Incidental account,	273 50
" Surveying account,	397 25
" Clerk hire account,	515 25
" Service of Commissioner,	534 00
" Stationary account,	29 62½
" Printing account,	209 30
" Chain carrying account,	144 43½
	<hr/>
	\$2351 11

I do hereby certify the foregoing to be a true transcript from my books, given under my hand at Indianapolis this 14th, Dec. 1831.

WM. POLKE, C. M. R. L.

RECAPITULATION.

(O.)

Total length of Michigan Road.			Total amount of the Road grant.			Total No. of sec's selected out U. S. surveyed lands.			No. selected and No. of sec. yet to be selected.		
Miles.	Q'r's.	Ch's.	Sec's.	Q'r's.	Acres.	Sec.	Q'r's.	A.	100's	Sec.	Q'r's.
264	1	4	264	1	32	134	0	14	51	128	1
No. of sections sold.			Am't of the sales.			Paid in cash scrip.			Expenses Amt due by individuals Com'r		
Sec.	Q's	A.	100's	D.	C.	D.	C.	D.	C.	D.	C.
46	2	09	68	493719	1854333	80858	2351	II		175	00

REFERENCE.

Amount due commissioner, for his daily allowance, and cash paid by him, more than there was available funds received in payment of land 1,542 53. Probable expenses yet to be presented, including printers' bills not yet received—estimated at 175 dollars.

WM. POLKE, C. M. R. L.

December 14, 1831.

(E.)

REPORT**OF THE AGENT OF THE THREE PER CENT. FUND.**

In obedience to an Act, approved January 22d, 1830, I make the following Statement of Commissioners' Reports:

No. of Road or R.	NAMES OF COMMISSIONERS.	Drafts paid.	Expended on Roads and rivers.	Com's services.	Surv'r, chain-man & marker	Provisions, expenses and postage.	Balances in commissioner's hands.	Balances due commissioners.
7	Michael Buskirk	623	193.94	55		58.30	315.76	
18	David Mount	276.10	263	4		10		
33	Joseph Nicholas	300	283.84	18.50				2.34
35	William H. Heath	510	397.62	40.13	63.95	9		
	" Jordan Wright	240	225	15				
36	James Scott	378.12	354.81	21			2.31	
	" Zenas Beckwith	240.62	216.34	16.50			7.78	
	" Morgan Shortridge	481.26	266	12			203.26	
37	George Piercy	780	706.81	69			4.19	
39	Elias Poston	100	85.75	14.25				
40	Adam Shoemaker	330	264.04	51			12.96	
44	John Denny	1000	676.21	45.50	72.14		206.15	
45	Amos Robinson	1500	1215.84	119	137.25	27.90		
46	Thomas Gillam	200	88.12	28	47.75	17.30	18.83	
47	Joseph Potts	500	484.15	17				1.15
48	Thomas Cranor	1000	693.02	71	96.62	94.08	45.28	
49	Daniel Heaton	800	86.62	47.38	97.93	69.44	498.63	
50	John McCullough	500	373	34	74		19	
51	Meredith Gosney	750	449.25	86.50	20		94.25	
52	William M'Creery	1500		89	140.38	169.17	1101.45	
54	William Dickey	100		24	26	6.19	43.81	
	RIVERS.							
2	Joseph Baugh	200	119.75	35		43.25	2	
4	John Hackelman	200	146.75	25.85		25.40	2	
6	John Norris	175	131.50	30		13.50		

The above is a transcript of Commissioners' Reports, so far as they have been received, with the exception of two reports, which are possibly incorrect.

I would respectfully call your attention to my report of settlements made to you last session, in which you will find a considerable sum due from the first boards of Commissioners. The first board, on Road No. 4, have paid over the balance in their hands.

B. I. BLYTHE, Agent 3 per Cent. Fund.

December 16, 1831.

(F.)

HOUSE OF REPRESENTATIVES,

SATURDAY, DECEMBER 17, 1831.

REPORT

OF THE COMMISSIONERS OF THE WABASH AND ERIE CANAL.

To the General Assembly of the State of Indiana:

The Board of Commissioners of the Wabash and Erie Canal, respectfully reports, that the near approach of the termination of the time limited by the act of Congress for the commencement of the Canal, to entitle the State to the liberal grant of lands, made to aid its completion, renders the measures which will be adopted by the present session of the Legislature, of the utmost importance for the fate of the Canal, and the interests of Internal Improvement.

At as early a period as 1824, the General Government made a grant of lands to Indiana, to enable her to connect by a canal the Maumee and Wabash rivers. In the succeeding session of the State Legislature in 1825 and '26, Congress was memorialized for a further cession of lands contiguous to the route of the contemplated canal, and in conformity to the object of the memorial on the 2d of March, 1827, granted to this State, each alternate section of the public lands, within five miles of the canal line, conditioned that the work should be commenced within five, and completed within twenty years from that time.

This grant of lands with its conditions, was accepted by the canal law of this State, approved January 5th, 1828, under the provisions of which, and a subsequent act, the route was surveyed and the lands selected. During the session of the State Legislature in 1829 and '30, a joint resolution to vest in the State of Indiana, other lands in lieu of those which had been sold or permanently reserved in the canal grant, previous to the act of the 2d March, 1827, was addressed to Congress, which they granted. The act providing means to construct a portion of the Wabash and Erie canal, was also passed the same session, directing a portion of the lands to be advertised for sale in the October following, in 30 newspapers of the principal cities and towns in the United States. 547 tracts were accordingly sold; containing

41,000 acres, under the pledge of the faith of the State expressly covenanted to the purchasers, that the canal lands, received from Congress, 'the principal, interest and all avails arising therefrom,' should be 'irrevocably pledged for the commencement of the canal within the limit fixed by Congress, and for the purpose of constructing and completing the same, and for no other purpose whatever.'

In this manner, by successive acts of legislation, the State has become pledged to commence the canal previous to the 2d of March next.

The session of the legislature of '29 and '30 also ratified the compact which had been entered into, and agreed upon, by commissioners, appointed by the States of Ohio and Indiana, for the construction of that part of the Wabash and Erie canal which lies from the state line to Maumee Bay in Ohio; but which compact the State of Ohio has refused to ratify.

At the last session of the Legislature the semi-annual sales of the canal lands were suspended, and no measures adopted for the commencement of the canal during the present year. The reasons which more particularly influenced the suspension of the canal measures, were the refusal on the part of Ohio to ratify the compact, and a division of opinion which prevailed in regard to the superiority of a rail-road over a canal, as the means best adapted for the transportation of the commerce of a country.

Deferring for the present the discussion of these objections, the policy for the interests of the State to be pursued in relation to the canal, will be considered.

The means furnished by the General Government to aid the State in constructing a canal, to connect at navigable points, the waters of the Wabash with those of Lake Erie, was the grant of lands amounting to 555 sections in the State of Indiana, lying on or within five miles of the canal route, containing 355,000 acres of this quality; 264,000 acres have been selected and set apart for the use of the State. The residue is situated in the reservations of lands held by the Miami Indians, and will belong to the State as soon as their title is extinguished.

In October, 1830, 234,000 acres of these lands were offered for sale to the highest bidder, and 41,000 acres sold for \$71,000, at an average of \$1 70 per acre. The sale continued open for ten days only, since which time the lands have not been subject to entry; and considering the difficulties that purchasers labored under in reaching the place of sale during the time it was open, and that 30,000 acres of first rate lands selected for the State, in lieu of those the Government had sold, were not in market, and which induced many to defer their purchases until the expected April sale. The amount sold was therefore as large as reasonably could have been expected.

The avails arising from this sale and the residue of the canal lands, constitute the only means at the disposal of the State, for constructing

the work without resort to taxation. Of the value of the unsold lands it is difficult to form an estimate, so much depends on the course of policy which will be pursued in regard to them. Without relying on the prosecution of the canal to enhance their value, they would not be worth more than one dollar and twenty-five cents per acre—with it, their worth would be much increased. In any of the States where canals have been made or are now making, with the confidence of the public assured in their favor that they will be completed in a reasonable time, the attempt to purchase new lands near them of equal quality of those in the canal grant, would be useless at \$5 00 per acre. Such a value will not be urged for ours—Although referring to the effect which has been produced, by canals in New York, Pennsylvania and Ohio, in increasing the value of property, it is difficult to assign any second reason, why that fertile lands, situated on or within five miles of a canal, that makes at all times an activity of business and a cash market for the productions of a country, should be worth less. An efficient commencement of the canal, to inspire confidence that it would be completed in a reasonable length of time, could not fail of giving much additional value to these lands. Under the supposition that this will be done, the 193,000 acres which were offered for sale in October, 1830, are estimated at \$1 75 per acre,

			\$337,750
30,000 selected lands never in market,	\$2 50,		75,000
91,000 in the Indian reservation,	\$3 00,		273,000
41,000 sold in October, 1830,	\$1 70,		71,000,
			<hr/>
			\$756,750

Supposing that the lands will be sold in semi-annual sales, for one fourth part in cash, the balance to be paid in 17 years with interest annually in advance, under the provisions of the law of the 28th January 1830. The portion which was sold in October 1830 was mostly situated in those parts of the counties which had been partially settled and was not superior in soil or eligibility of situation to the residue, which remains unsold. Purchasers were apparently more induced in their preference by proximity to the settled part of the country than to either.

The 30,000 acres selected from the lands of the General Government, for those sold and reserved, are all of the first quality. The 91,000 acres in the Miami reservations, are probably not surpassed in richness of soil, when compared with other lands, in any part of the State. The Indians are willing to sell, and their title will be extinguished, probably long before it will be the interest of the State to put these lands in market. If kept until a portion of the canal is completed, they will be very valuable, and command higher prices than for what they are estimated. In forming the preceding estimate it is supposed that the lands situated as they are for 120 miles in

length in the vallies of the Maumee, Little and Wabash rivers, would sell for cash, without reference to a canal, for \$1 25 per acre—That with an efficient commencement of the canal and the lands sold on a credit would be enhanced in value 75 per cent. Taking into consideration that the money for which these lands will sell will be expended in a great work of public improvement, directly in their centre, and not more than five miles from the most remote part, that being new and low priced, their value will be increased in a greater ratio than improved lands which are worth more, and comparing the effect produced in other places where canals have been made in raising the prices of lands many times over their original value, it does appear that 75 per cent. for enhanced value is low and probably less than what the lands will realize.

Assuming that the estimate formed of the value of the canal donation from the General Government is not overrated, in the expectation that if the construction of the canal is prosecuted with sufficient energy to inspire public confidence with the belief that it will be completed in a reasonable length of time, that the lands will realize to the State the sum of \$756,000, it forces the enquiry, that as it is a gift of large amount from the General Government, made for a specific purpose, which if carried into effect would contribute greatly to advance the interests, add to the wealth and elevate the character of the country. What are the reasons which prevent it from being applied to the use for which it was intended? Those mostly urged are the failure of the State of Ohio to ratify the compact—the division of the public sentiment in regard to the utility of a rail-road or canal as the best means adapted for the commerce of the State, and that the amount of the donation from the General Government is insufficient to construct the canal, and that in order to complete it within the time required, a recourse to taxation must be resorted to, for which the State is unprepared. In reply to the objection on account of the want of co-operation on the part of Ohio in extending the canal to the Maumee Bay of Lake Erie, it is observed that the measures which she has pursued in relation to this subject have proceeded, it is confidently believed, from no spirit of hostility to the interests of this State, or feelings of rivalry that in the event of the completion of the canal from the Lake to the Wabash, that it would divert any considerable portion of commerce from her canals, so as to prove injurious to the interests of her citizens, or the great works of public improvements which she has so successfully accomplished. The failure on her part is attributable to other causes. Engaged as she has been, and now is in completing expensive works, in which she was embarked before the subject of our canal was proposed, a reason may readily be perceived for her unwillingness to enter into engagements, further involving her physical and pecuniary resources, until her own canals should be finished. During the last year a canal route was surveyed from Dayton to the Maumee river, and thence to

the Bay, declared practicable and the cost estimated. When she shall have completed her present works, it is but a fair presumption to suppose that this canal will be made from Dayton to the Lake, and leading as it does from Cincinnati, her chief commercial city, a connection with our canal by reducing the prices of transportation, would tend greatly to increase her already extensive trade. In addition to this are the profits which would be derived from the tolls on that portion of the line, situated as it is at the eastern extremity of the route. All the commerce passing to and from Indiana to the Lakes must be carried over it, and render that part the most profitable of the line. That some portion of the merchandize intended for the western part of Indiana, and places situated to the south-west, would be diverted from the Ohio canals by the construction of one on the Wabash and Maumee rivers, is more than probable;—but the mass of freights from which tolls are derived, and the bulky staples of the country, such as beef, pork, flour, &c. which do not admit of transportation by land for any considerable distance from a canal—from the freights on such articles, tolls chiefly depend. A higher reason than advancement of her interests, is the situation she would be placed in, provided our canal should be made, and she should refuse to make or have made that portion of it which admits of access to the Lakes—in such case her opposition would be attributed to feelings of rivalry, and that for an inconsiderable diversion of freights from one portion of her canals to another,—more advantageous for her interests she would hold in check the commerce of a State and prevent their productions from finding a market rather than embark in the construction of a canal of seventy-five miles in length, which from its situation, could not fail of being profitable, and at the same time advance the interests of a large portion of her citizens. From the high character of the State there is no reason to expect such a result if we construct the canal in our own State. There can be little doubt of her making that part from the State line to the Maumee Bay. There is no hostility of feeling in Ohio to our canal, but on the contrary a lively interest is felt that we should succeed.

But admitting that contrary to expectation, Ohio should refuse to make, or have made, that part of the canal, within her jurisdiction, it is contended that her want of co-operation, should not prevent the State of Indiana from applying the canal funds, and making that part which lies in her own bounds, for having no right to enter on the territorial limits of Ohio, and having never possessed the lands, granted for the canal in that State, if one is made, from the Maumee to a navigable point on the Wabash, it would be a fair and equitable fulfilment, on the part of Indiana, of the conditions of the grant from the General Government, for the consideration of the lands she has received.

And if such an event should occur, the extension of the canal to the Lake, prevented by an adjoining State, would present a subject

to the consideration of Congress, in such manner as could scarcely fail to influence them, to make a slack water navigation on the Maumee river. The situation of the valley of the Wabash, the richness of its soil, the amount and variety of its products, denied a market, and placed in such condition as could not otherwise be remedied, than by the improvement of the river by the General Government, would make the necessity for its aid so apparent, that its performance of the work can be hardly doubted.

The act of Congress of March 2d, 1827, granted to this State each alternate section on the canal route, for five miles in width on each side, in Ohio as well as in Indiana; and having once made this liberal donation, for the purpose of making a navigable communication in this part of the valley of the Maumee; under the supposed state of the case, the government would readily take back the lands, and make the improvement contemplated. To open a navigable communication from the Lake to the Wabash, is an enterprize that yields to none, in the western country, for importance, and unites so many interests in its favour, that if once commenced, they will insure its completion; its almost straight direction from the Lake to the Mississippi; the fertility of the country on its borders, its connection with the Lake, the New York canal, and the largest commercial city in the United States creates for its success so large an interest, that any reasonable appeal to the General Government for aid, would be heard and answered.

In determining the preference for a rail-road or canal, the formation of the country over which they are to be made, the business expected to be done on them, and the situation of the state in which they are to be located, should be taken into view. The route of the Wabash and Erie canal presents fewer physical difficulties to be overcome, than perhaps any other of equal length, where canals have been made or contemplated in the United States; at least this has been the uniform opinion of the Engineers who have examined it, as well as of many scientific and practical men who have visited the country, and expressed this decision in its favour. There are no places where deep excavations or high embankments are necessary, and few, where it is carried on the steep sides of hills, or banks of rivers; but passing along the gradual inclined plane of the valleys near the lowest level of the country, and generally requiring a moderate depth of excavation, it promises when constructed, to be almost, if not entirely free from the dangers of breaks and falling in of banks, to which canals, located on higher and more difficult levels are exposed.

The business which it will command will consist mostly in the transportation of merchandize and the produce of the country, for which reduced prices of freights will be a material object, and must be regarded as well as saving of time. From experiments made, where canals and rail-roads have been used and fairly tested, the relative comparison between the two modes of conveyance, when

passing at a rate not exceeding from two and a half to three and a half miles per hour, is much in favour of canals. At that rate of motion, a body floating in water is propelled forward with less power than it can be on land, by any means which has hitherto been invented.

The situation of this state, from the means in its power, is better adapted for the construction of canals than rail-roads, the former requiring labour and such materials as the state affords; and in the latter, iron, which constitutes a large item of the expense of construction, must come from abroad. In favour of canals may be urged, that their utility has long been tested; the advantages they afford and the objections they are liable to are well known. In relation to them nothing depends on experiment and conjecture; they place the facilities of transportation more in the means of the people than rail-roads, and are used in the business of a country much in the manner of an ordinary road. Many articles, such as wood, timber, stone, &c. are rendered valuable by a canal, from being transported to market, by the labour, horses and boats of their owners, which would not bear paying freight to a company. For such and many other purposes they are better adapted for the convenience and necessities of a country; they render the means of transportation more accessible to the mass of community; the cost of a canal-boat but little exceeding the price of a farmer's waggon. Three or four days difference in the transit of freights, to or from the Maumee Bay and any part of the canal, can be of but small importance to the owners of merchandize, and the articles which will be transported to market, safety and cheapness of freights, will be of greater consideration. One reason which would operate in the decision of the preference for a rail-road or canal in other places, loses its force when applied to ours. Its termination in the Lake, which remains frozen long after the canal would be free from ice, does away the objection.

For cheapness of construction, keeping in repair and permanence when built, in a location presenting as few difficulties to encounter as the Wabash and Erie Canal, it is not difficult to decide. The average cost of constructing this canal has been estimated, by competent Engineers, at a fraction less than \$9,000 per mile, and from the acknowledged cheapness for which it can be constructed, compared with the actual cost of the Ohio canals, there is no sound reason for supposing the estimate too low. When made, it cannot be much exposed to liability of breaches, giving away of banks, &c.; but with the exception of decay incident to Locks, Aqueducts and other mechanical structures, must become more permanent by time. The lowest cost of a rail-road, for a single tract, to be built of wood and iron, with the necessary turnouts, is estimated at near the same sum; for double tracts they are estimated much higher; and as the wood is placed in or near the ground, it must be subject to rapid decay. Rail-roads, however, are considered as highly advantageous improvements for

the commerce of a country; they can be made where canals cannot for want of water. And on routes where physical obstructions of magnitude are to be overcome, they are doubtless preferable to canals; but in places where the natural formation of the country makes the construction of a canal easy, and the freights which are to pass consist mostly in the products of the soil, canals have the decided advantage.

The legislative provisions heretofore adopted, and the pledges unequivocally given to the purchasers of the canal lands have decided this question, and from an impartial consideration of the subject, aided by all the information they could procure on this much agitated question of the superiority of a canal or rail-road, it appears to the Board to have been decided wisely. The estimate for constructing the canal for its whole length in this State from the mouth of the Tippecanoe to the Ohio state line was near \$1,100,000. The lands of the canal donation are supposed to be worth, including the avails for the amount heretofore sold 756,000, which would leave the sum of 344,000 to be provided for by the State, if the canal is commenced and the means derived from the sale of lands be expended in its construction, it will go so far towards completing it that there would be no difficulty in pledging its proceeds for a term of years to have it finished without charge on the revenue. If it should be deemed advisable to entrust the interests of so important a concern to the hands of a company, there can be no reasonable doubts entertained that if \$500,000 were expended on the canal, instead of \$756,000 as estimated, it might be finished in this manner without recourse to taxation for a single dollar.

If these views be correct, the policy of commencing the canal and prosecuting its construction to the extent of the means provided by the General Government, is sufficiently obvious.

In the report which the Board had the honor to submit to the General Assembly of last year, they recommended a loan limited to the amount of the balances due from the purchases of the canal lands, as they should from time to time accrue from the semi-annual sales, and a Board of commissioners to negotiate the loan, and manage the fiscal concerns in relation to the canal. The necessity which induced the recommendation still exists, and the Board can suggest no measures better calculated to promote the object in view.

During the present year with the exception of the commissioner of accounts, who has been employed in making two sets of maps and tract books of the canal donation, the business of the Board has been limited to receiving the interest due on the canal lands, and the final payments which purchasers have made. The interest has been paid punctually and not a tract forfeited—an evidence at least that

the terms on which the lands are sold, are calculated to insure prompt payments.

Since the last annual report, the board have received:

For interest on the canal lands,	-	2670 73	
Balances due paid in full,	-	1617 80	\$4288 53
From S. Merrill, Treasurer,	-	-	208 00
Amount of cash reported in D. Burr's hands,	-	-	616 28
			<hr/>
			\$5112 81

And have paid:

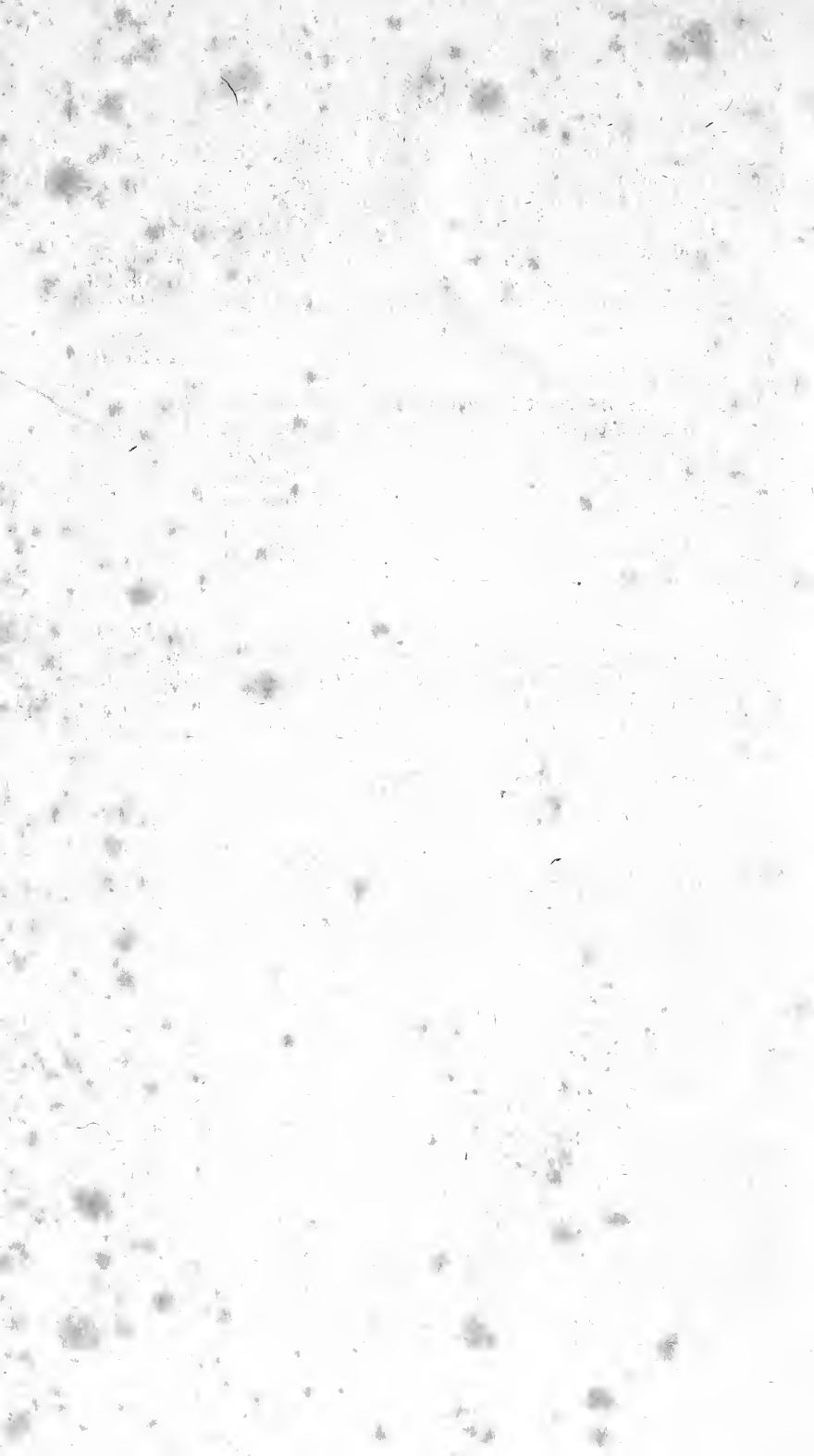
Engineer and Assistant for board, &c.	\$65 75	
To Newspaper editors,	257 25	
Pay to Dr. Burr,	190 00	
“ “ S. Lewis,	308 00	
“ “ J. Vigus,	200 00	
Incidental,	35 13	
To S. Merrill, Treasurer,	3,718 30	
In hands of D. Burr,	219 87	
“ “ S. Lewis,	118 51	
		<hr/>
		\$5,112 81

There are still due a small sum to several of the editors who published the sale of the canal lands in 1830. As soon as their duplicate bills are received the amount is either paid or forwarded by mail, but the Board have never been able to close their accounts for this item.

Which is respectfully submitted,

D. BURR,	} Com'rs of the W. and E. Canal.
J. VIGUS,	
SAM'L. LEWIS,	

Indianapolis, Dec. 17th, 1831.



(G.) STATEMENT No. 1. Of the collection of State Taxes, in the several counties, during the year 1831, commencing on the first of January, and ending 31st December, 1831.

COUNTIES.	Unlisted Delinquents lands and polls.	Delinquents of former years.	Assessments for 1831.	Delinquents for 1831.	Commission for collection.	Allowance for advertising.	Mileage.	Taxes refunded.	Nett amount due the treasury.	Cash received.
Allen	8 75		168 97	24 00	13 04		9 00		122 95	122 95
Bartholomew			674 13	19 71	58 90		2 52		593 00	593 00
Boon	1 23	2 62	88 17	10 12	7 02		1 44		69 59	69 59
Clark	16 91	191 25	1761 73	323 40	129 45	1 50	7 20	3 46	1296 72	1296 73
Clay			152 56	16 33	12 26	1 50	3 90		118 57	118 50
Crawford	2 83		313 89	21 88	26 28	1 50	7 50		256 73	256 73
Carroll	4 12		200 35	13 15	16 81		5 22		164 82	164 81
Cass			105 00	31 87	6 58		4 20		62 35	62 35
Clinton	7 50		139 50	3 75	12 21		3 06		120 48	120 48
Dearborn			1706 93						1706 93	700 00
Decatur	11 75		895 35	29 90	77 58	1 25	3 00	34 28	749 34	749 34
Davies	6 39		634 36	35 03	53 93	1 25	7 20	1 71	535 24	535 24
Dubois	96		219 17	15 15	18 36	1 50	7 20		176 96	176 96
Delaware	6 85		176 14	10 12	14 94		3 60	75	146 73	146 73
Elkhart	3 00		123 38	11 62	10 05		13 20		88 51	88 50
Fayette	17 50	31 82	1204 50	95 20	99 83	1 50	3 36		1004 61	1004 61
Floyd	11 36	26 50	746 77	88 54	59 24	2 00	7 80		589 19	589 19
Franklin			1238 56	93 66	103 10	1 50	4 20		1036 70	1036 70
Fountain	38 77	42 00	914 10	153 73	68 43		4 50		687 44	687 44
Gibson	20 82		830 16	36 99	71 38	1 50	9 00		711 29	711 25
Green	4 32		427 45	39 00	34 96	1 25	4 44		347 80	347 80
Hamilton	2 25	7 50	308 53	24 00	25 60	1 75	1 32		255 86	255 86

STATEMENT No. 1. Continued.

COUNTIES.	Unlisted lands and polls.	Delinquents of former years.	Assessments for 1831.	Delinquents for 1831.	Commission for collection.	Allowance for advertising.	Mileage.	Taxes refunded.	Nett amount due the treasury.	Cash received.
Harrison	12 52		1324 32	92 15	110 89	2 75	8 00		1110 53	1110 53
Hendricks	7 93		488 37	10 50	43 00	1 25	1 20		432 42	432 42
Henry	3 88		782 05	47 35	66 12	1 50	3 30	38	663 40	663 40
Hancock	7 71		171 25	12 94	14 24		1 20		142 87	142 87
Jackson	59 52		691 72	50 24	57 73	1 50	4 38		577 87	577 87
Jefferson	15 92		1421 50	143 85	114 98	2 50	5 10	3 42	1151 65	1151 65
Jennings	48		539 92	31 50	45 75	1 50	3 90		457 27	457 25
Johnson	1 62		531 91	21 25	45 96	1 25	1 20		462 25	462 25
Knox	6 34	100 69	1206 32	398 77	72 67	2 00	9 00		723 88	272 23
Lawrence	45 01		1130 50	75 86	94 91	1 50	4 80	1 59	951 84	951 84
Madison	10 09		237 95	10 50	20 47		2 40		204 58	204 58
Marion	34 51	47 25	1191 87	132 23	95 36	1 50			962 78	962 78
Martin	5 63		271 92	42 23	20 67	1 50	6 00	48	202 00	202 00
Monroe	29 25		798 97	38 66	68 42	2 00	3 12	2 90	683 87	683 87
Montgomery	5 56	26 00	999 28	47 90	85 62	1 50	3 30	34 29	826 67	826 67
Morgan	53 25		639 80	13 54	56 36	1 25	1 80		566 85	566 85
Orange	16 05		878 85	30 40	76 36	1 50	6 00		764 59	764 59
Owen	11 12	13 56	505 92	46 28	41 36	1 25	3 18		413 85	413 85
Parke	20 30		970 93	65 21	81 51	2 50	4 50	11 64	805 57	798 82
Perry	2 62		365 39	8 14	32 15	1 50	9 90		313 70	313 70
Pike	10 03		404 10	25 31	34 09	2 00	7 50	2 45	332 75	267 00
Posey	3 49		879 15	28 87	76 52		12 00		761 76	761 75

Putnam	11 87	927 53	23 42	81 36	1 25	2 40	1 98	319 10	319 10
Randolph	17 65	478 07	38 67	39 54	1 00	4 30		392 58	392 56
Ripley	6 54	563 33	43 08	46 82	2 25	4 32		466 86	466 86
Rush	109 33	1548 18	48 72	134 95	1 00	2 40	7 23	1353 88	1353 88
Scott	1 95	446 91	12 93	39 06	1 50	6 00	50	386 92	378 00
Shelby	11 08	841 19	13 50	74 49	1 50	1 56	7 37	742 77	742 77
Spencer	5 07	452 73	7 58	40 06	1 50	9 24	73	393 62	393 62
Sullivan	20 29	740 61	64 72	60 83	1 50	7 20		606 36	607 36
Switzerland	20 00	1002 82	191 86	72 98	2 50	6 00		729 48	729 48
St. Josephs	45 75	75 38	10 49	5 84		14 40		44 68	44 65
Tippecanoe	26 05	775 63	67 20	63 76	2 19	4 50	2 06	637 98	638 00
Union	4 09	991 26	52 87	84 47		4 75		847 31	847 31
Vanderburgh	11 82	359 78	12 87	31 22	1 50	10 80		303 39	303 38
Vermillion	12 11	687 84	73 19	55 31	1 00	5 40		552 94	552 94
Vigo		1390 66	495 52	80 56	2 25	4 50	5 95	801 88	994 00
Warrick	5 41	376 31	6 07	33 32	1 50	10 80	7 10	317 52	317 50
Washington	26 44	1590 83	72 72	136 62	1 50	6 00	33 98	1340 01	1340 00
Wayne	32 04	2218 90	90 84	191 52	2 00	3 78		1930 76	1930 75
Warren	12 36	276 90	25 87	22 59		5 10		223 34	223 24
Totals.	909 05	45316 47	782 70	3573 39	76 19	318 09	164 25	37246 96	\$35898 90

STATEMENT No. 2.—Statement of Receipts and Expenditures of the
Treasury from January 1st, 1831, to December 31, 1831.

RECEIPTS.

Cash in the Treasury on the 1st of January, 1831	\$65932 57
Receipts from taxes assessed in 1831	35898 90
From balances due and in arrears for the year	
1823 Perry - - - \$59 04	
1824 Dubois - - - 33 56	
1825 Scott - - - 109 50	
1827 Madison - - - 25 00	
1828 Henry - - - 53 94	
1829 Vigo - - - 15 28	
1830 Pike - - - 5 10	
	301 39
<i>Indianapolis Fund:</i>	
From E. Sharpe, Agent - - 7639 39	
" B. F. Morris, late Agent - - 253 28	
	7892 67
<i>Militia Fines:</i>	
From paymaster 39th Regiment - - - 4 65	
<i>Salt Springs:</i>	
From Samuel Cobb Sup't French Lick 40 00	
" Benj. Rogers Sup't Jackson " 173 12	
	213 12
<i>Siminary Funds:</i>	
From James Borland Com'r Monroe 3435 80	
" James Smith " Gibson 1475 00	
" Sales mortgaged lands - - 615 70	
" Loans refunded - - - 2155 00	
" Interest on loans - - - 1758 58	
	9440 08
<i>Estates without heirs:</i>	
From administrator of James Murphey 150 83	
" " George Knox 1037 18	
	1188 01
From Sales of Canal Lands 3718 30	
" Superintendent State prison 800 00	
" Sales of Michigan Road Lands 48563 33	
Total amount of receipts for 1831 - - -	\$173953 02

STATEMENT No. 2.—*Continued.*

EXPENDITURES.

<i>For the Legislature:</i>		
Pay and mileage of members	- -	12475 66
" of clerks, door-keepers and sergeant at arms	- -	2833 00
" public printing and stationary	- -	8447 12
		<hr/>
Specific appropriation	- -	- -
Michigan Road and Scrip	- -	- -
		<hr/>
		23755 78
		1435 56
		49270 19
<i>Executive:</i>		
Governor's 4 qrs. salary and fraction	- -	1016 43
Secretary 4 qrs. "	- -	466 67
Auditor 4 qrs. "	- -	400 00
Treasurer 4 qrs. "	- -	400 00
		<hr/>
		2283 10
<i>Judiciary:</i>		
Holman Supreme Judge 2 qrs. and frac- tion, salary	- -	401 78
Blackford Supreme Judge 3 qrs. "	- -	636 23
M'Kinney " 3 qrs. "	- -	584 45
Stevens " 3 qrs. "	- -	584 45
Seven Circuit Judges' salaries	- -	4901 93
Expense of Supreme Court	- -	72 59
Circuit prosecutors' salaries	- -	- -
		<hr/>
		7181 48
		995 74
<i>Seat of Government:</i>		
Treasurer's and Auditor's per cent.	- -	36 60
Agent's salary	- -	300 00
Allowance for State House	- -	350 00
		<hr/>
		686 60
<i>Seminary Funds:</i>		
Salary of President and Professors	- -	1950 00
For building College chapel	- -	957 53
" recorders of Gibson and Monroe sem- inary townships	- -	40 95
" salary and allowance to superintend- ent	- -	91 00
		<hr/>
		3039 48
Loans seminary funds	- -	5232 00
<i>Salt Springs:</i>		
To Cobb and Rogers, Sup'ts French and Jackson Lick	- -	- -
To State Library	- -	- -
		<hr/>
		30 00
		110 00

STATEMENT No. 2.—*Continued.*

EXPENDITURES.

<i>State Prison:</i>	
Transporting convicts to State Prison	1005 97
Contingent fund	1065 36
Salaries of Adj't. and qr. Master Genl's	150 00
Wabash and Miami canal	495 50
Premium for wolf scalps	745 50
Allowance to probate judges	2079 00
Cash in the Treasury 1st January, 1832	74391 81
As above	\$173953 02

STATEMENT No. 3. List of Balances due the State for Taxes.

COUNTIES.	1821	1822	1823	1824	1825	1826	1827	1828	1829	1830	1831
Allen						27 43					27 43
Clark			665 06								665 06
Cass									13 92		13 92
Clay						9 45					9 45
Dearborn										1006 93	1006 93
Dubois		19 00	214 59								233 59
Decatur			733 84					358 48			358 48
Floyd	95 93	184 59	25 34								1014 36
Henry						32 43	84 03				57 77
Jackson		224 99	107 14		70 18						309 02
Jefferson											177 32
Knox *							50 89			451 65	451 65
Madison											50 89
Martin		203 92	217 19							6 93	421 11
Parke										65 75	6 93
Pike											65 75
Perry			175 00								175 00
Scott				04 32		293 05	270 33	306 04		8 92	8 92
Shelby					54 10						982 66
Switzerland			157 93		675 91		303 83				54 10
											1137 67
Total											\$7219 09

*Paid in full since this account was made out. The Dearborn collector has paid the further sum of \$662 50 since the making this account.

STATEMENT No. 4. *State of the Treasury and Public debt on the 1st day of January, 1832.*

TREASURY.

Cash in the Treasury 1st January, 1832	-	74,391 81
Balance due from collectors	-	7,219 09
		<hr/> 81,610 90
From which deduct the public debt	-	40,211 61
		<hr/> 41,399 29
Of the balance due from collectors, \$2500 is supposed bad debt	-	2,500 00
		<hr/> \$38,899 29
Leaving for the current expenses of 1832		

PUBLIC DEBT.

Indianapolis Fund	-	\$13,878 44
Canal Fund	-	24,373 04
Conscientious fines	-	566 50
Estates without heirs	-	1,393 63
		<hr/>
As above	-	\$40,211 61

STATEMENT No. 5. *Estimate and Expenditure of the year 1832.*

Cash in the Treasury 1st January, 1832	-	74,391 81
Estimate of taxes to be assessed for 1832	-	40,000 00
From outstanding claims	-	3,000 00
		<hr/> 117,391 81
Deduct expenditures of 1832 and public debt	-	78,776 61
		<hr/> \$38,615 20
Which leaves for the expenditure of 1833	-	
The expenditure for 1833 will probably amount to \$40,000, being an excess of \$1,384 80 over the receipts into the Treasury for the year 1832.—		
The above deficit, it is believed, will not embarrass the Treasury as there is due from the Michigan Road fund to the State	-	3,848 00
Which if paid in the year 1832, will leave in the Treasury on the 1st day of December, 1833		<hr/> \$2,463 20

Estimated Expenditure for the year 1832.

Legislature, including pay of members, clerks, &c.	17,200 00
Public Printing - - - - -	4,100 00
Executive - - - - -	2,400 00
Judges and Prosecutors - - - - -	8,200 00
Contingent Fund - - - - -	1,000 00
State Prison - - - - -	600 00
Wolf scalps - - - - -	800 00
Probate Judges - - - - -	2,200 00
Specific appropriations - - - - -	1,500 00
Presidential election - - - - -	600 00
Militia - - - - -	150 00
State Library - - - - -	115 00
	<hr/>
	\$ 38,865 00

The committee in making the foregoing report, take a pleasure in saying, that on examination of the books and business done in the offices of the Auditor and Treasurer of State, that the books are well kept, calculations correctly made and properly recorded, and that the most perfect agreement does appear in the books and accounts in the two offices, and that the Auditor and Treasurer afforded every possible facility, to aid the committee in the execution of duties important to the country and necessary to correct legislation. The committee in extending their views to the future financial operations of the State, are of opinion that the revenue of the present year will fall short of the expenditure for the year 1833 the sum of 1,384 80 cents. The amount of which deficit may be discharged out of the sum of \$3,848 heretofore advanced from the treasury in aid of the Michigan Road Commissioners, which sum when paid will leave in the treasury on the first day of December 1833, the sum of \$2,463 20 cents. The committee are of opinion that the present revenue laws are well calculated to sustain the treasury, five Collectors only, being delinquents for the year 1831, and neither of them but very partially so. The committee deem it inexpedient, at present, to make any change in the revenue law, so as to increase or diminish the amount of taxes to be laid on any object of taxation for State revenue.

All of which is respectfully submitted by the committee.

WILLIAM COTTON, *Chairman.*



